# THE HISTORY OF THE INQUISITION.

# THE HISTORY OF THE INQUISITION.

By *PHILIP a LIMBORCH*,
Professor of Divinity amongst the REMONSTRANTS.

Translated into *English*
By *SAMUEL CHANDLER*.

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In TWO VOLUMES.

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## VOL. I.

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To which is prefixed,
A large INTRODUCTION concerning the Rise and Progress of PERSECUTION, and the real and pretended Causes of it.

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*Their Feet run to Evil, and they make haste to shed innocent Blood: Their Thoughts are Thoughts of Iniquity; Wasting and Destruction are in their Paths.*
*He goes about as a roaring Lion, seeking whom he may devour.*

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*LONDON:*
Sold by J. GRAY, at the *Cross-Keys* in the *Poultry*.
MDCCXXXI.

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MVSEVM
BRITANNICVM

# TO THE QUEEN REGENT.

MADAM,

I Should never have entertained the leaſt Thought of preſenting to Your Majeſty the HISTORY OF THE INQUISITION, but that it afforded me an Opportunity of expreſſing my ſincere Joy, in that which is the common Happineſs of



theſe

these Nations; Your Majesty's just Abhorrence of all the Frauds and Cruelties authorized and practised by that infamous Tribunal, and Your generous Concern for the civil and religious Liberties of Mankind.

In the earliest Part of Your Majesty's Life, when worldly Honours and Dignities must have appeared with their greatest Charms, You became an illustrious Example of Steadiness in the Protestant Faith. Your Resolution and Piety triumphed over the strongest Temptations. God reserved Your Majesty as a Blessing to the Kingdoms now under Your Guardianship. As a Reward of Your constant Adherence to Truth and Virtue, he hath made You the beloved Queen of a free and powerful Nation, whose Loyalty is the Effect of the most voluntary Choice, and flows from the two strongest Motives in the World, the Sense both of their Interest and Duty.

Under the Inspection of such a Queen and Mother, the *British* Nation is in no Pain for the Royal Progeny, but looks on them with

Pleaſure, as the Sources of their future Happineſs. Your Majeſty's Example will inſpire them with Zeal for the Proteſtant Religion, and Your diſintereſted Purſuit of Truth form them into a Love of Liberty, and teach them the true Notion and proper Uſe of it.

'Tis Your Majeſty's happy Lot to live in an Age, and be the Guardian of a Nation, in which the Principles of all Religion undergo the moſt exact and critical Inquiry; and 'tis the peculiar Glory of His Majeſty's Government, that all Men are permitted to make ſuch Inquiries with Safety. As Superſtition and Error can never be effectually diſcover'd and deſtroy'd, nor Religion maintain its native Purity and Dignity without the freeſt Uſe of this invaluable Privilege, 'tis impoſſible that the Ends of Government can require, or that true Religion can ever preſcribe or juſtify the leaſt Invaſion or Abridgment of it.

The Revelation of the Goſpel, fixed immovable upon its own Foundation of eternal Truth, needs no Methods of Fraud and Violence for

its Support. The great Author of it appealed to the Reaſon and Conſciences of Men concerning the Proofs of his divine Miſſion, and the Nature of the Doctrines he taught. His Apoſtles after him claimed no Submiſſion to their heavenly Dictates, without reaſonable Convictions, founded in the Demonſtration of the Spirit and of Truth. Happy had it been for the Chriſtian Church, had the Examples of the Son of God and his Apoſtles been, in this Reſpect as well as others, counted worthy of Imitation!

Zeal for Religion, both in Princes and their Subjects, is unqueſtionably a Duty. But Your Majeſty underſtands too well the great Obligations to Chriſtian Charity, and feels too great a Pleaſure in the Exerciſe of this ſacred Virtue, ever to ſuffer Your own Zeal for Religion to lead You into a cruel perſecuting Warmth, or to encourage others in the uſe of any Methods for the Defence of Religion, which are not only contrary to the genuine Spirit and Deſign of it, but in the Conſequences deſtructive of the Honour, Succeſs, and even Being of it.

The Succeſſion of the illuſtrious Houſe of *Hanover* to the Throne of theſe Kingdoms, was a Bleſſing of long Expectation. The Severities which were exerciſed upon Proteſtant Diſſenters in former Reigns, upon the Account of Religion, made them caſt their Eyes upon that Auguſt Family. From thence, Madam, the Afflicted hoped for Relief: From thence the Sufferers for Conſcience-ſake expected, under God, their Salvation from the Yoak of Civil and Eccleſiaſtical Oppreſſion.

The Happineſs they both pray'd and longed for, but were allowed to ſee only afar off, we, their Poſterity, now enjoy. The all-merciful God hath abundantly anſwer'd their Prayers, and bleſſed us with the Fruits of their Expectations. When our Liberties were unrighteouſly invaded, and farther Difficulties and Sufferings were intended us, for our Fidelity to the preſent Royal Family, by an almoſt miraculous Providence, His late Majeſty came into our Relief, and will ever be remembered with Honour and

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Gratitude by us, as our Reſtorer and Deliverer, and as the common Preſerver of theſe Nations from that Deſtruction which ſo nearly threatened them.

His preſent Majeſty, the Inheritor of His Royal Father's Virtues, as well as Kingdoms, will be reverenced for His impartial Protection of all His Subjects, for the Wiſdom of His Counſels, the Steadineſs of His Meaſures, and the glorious Succeſs which hath crowned Them, in the Settlement of the different, and almoſt contrary Intereſts of *Europe*, and the Preſervation of the invaluable Bleſſings of Peace.

Your Majeſty will be admired for all thoſe excellent Endowments, and amiable Virtues, which render You the greateſt Ornament to publick and private Life. Your Regency of theſe Kingdoms, conducted with ſuch Wiſdom and Goodneſs, ſhews You fit for the Weight of Government, and the Dignities of a Crown. Your Condeſcenſion and Freedom in converſing with

with Perſons of Learning and Virtue, diſcovers Your Love of Truth, and Your Knowledge how to reconcile the Pleaſures of Converſation and Friendſhip with the Reverence due to Majeſty and Power. Your Love to true Religion, and Your Impartiality in ſearching into the Nature of it, is the fulleſt Evidence that Your Majeſty's Piety, as well as the Benevolence of Your natural Diſpoſition, muſt neceſſarily excite in Your Breaſt a juſt Averſion to all Methods of Violence for the Conviction and Converſion of others. Your Affection to the Proteſtant Religion and Liberties in general, and Your ſteady Regard to the Welfare of theſe Kingdoms in particular, indear Your Majeſty to the preſent Generation, and will be ſpoken of with Pleaſure by thoſe to come.

That God may long continue Your Majeſty a Bleſſing in every Relation in which his Providence hath fixed You, and, after a full Enjoyment of the higheſt Honour and Proſperity, which this World can afford You, receive You to the more ſubſtantial and durable Bleſſings of the

the eternal World, is the sincere and fervent Prayer of,

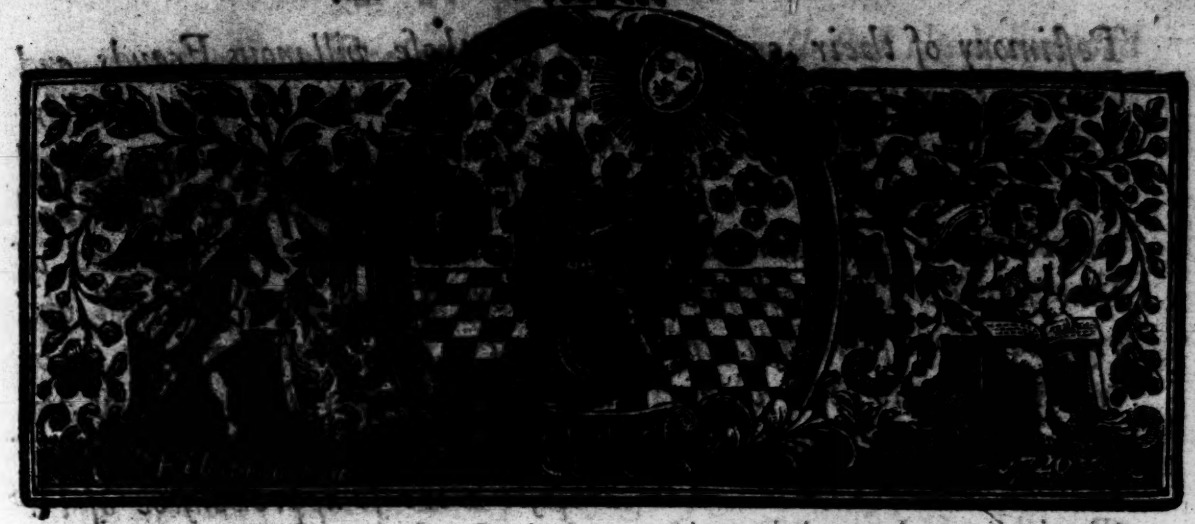
*May it please Your Majesty,*

*Your Majesty's most Obedient,*

*Most Devoted, and*

*Most Humble Servant,*

SAMUEL CHANDLER.



# PREFACE.

THE *Introduction to Mr.* Limborch's *Hiſtory of the Inquiſition hath run out to ſuch a Length, that I have but little Room for any Preface. That Hiſtory needs nothing that I can ſay to recommend it. When it firſt came over to* England, *it was received with great Approbation by many of the principal Nobility and Clergy. Mr.* Lock, *that incomparable Judge of Men and Books, gives it the higheſt Character, and commends it for its Method and Perſpicuity, and the Authorities by which it is ſo abundantly confirmed, and pronounces it a Work in its Kind abſolutely perfect. He was particularly pleaſed that Mr.* Limborch *uſed the very Words of the Authors which he cites; and, though this may make the reading of the Hiſtory tedious to ſome, yet it was neceſſary, that the Inquiſitors might be convicted by the*

*Teſtimony of their own Writers, of thoſe villanous Frauds and Cruelties, with which they are charged. In a Letter to Mr.* Limborch *himſelf, he tells him, that he had ſo fully expoſed their ſecret Arts of Wickedneſs and Cruelty, that, if they had any Remains of Humanity in them, they muſt be aſhamed of that horrid Tribunal, in which every Thing that was juſt and righteous was ſo monſtrouſly perverted; and that 'twas fit to be tranſlated into the vulgar Language of every Nation, that the meaneſt People might underſtand the Anti-chriſtian Practices of that execrable Court. The Papiſts were ſo apprehenſive of the Prejudices that might ariſe to their Cauſe by the Publication of this Book, that the Cardinals, Inquiſitors General at* Rome, *condemn'd it by an Edict, and forbad the reading it, under the ſevereſt Penalties.*

Mr. Lock *often mentions, in his Letters, ſeveral Additions which Mr.* Limborch *had prepared, and promiſed to tranſmit to him, that he might inſert them in their proper Places in the Margin. I know not whether he ever had the Pleaſure of ſeeing them; 'tis certain the Publick hath never hitherto been favour'd with them. When I firſt began my Tranſlation of the Hiſtory, the late ingenious* Anthony Collins, *Eſq; informed me, that he had ſome M. S. Papers of Mr.* Limborch *relating to it, and generouſly ſent them to me for my Peruſal. After this, I was informed by a worthy Friend, that there was a Gentleman in* Holland *who had a large Number of Corrections and Additions; and, upon my Application to him, he very kindly ordered them to be tranſcribed out of the Copy Mr.* Limborch *kept by him, which he had corrected and enlarged with his own Hand, and tranſmitted them to me from the* Hague. *His Name is* Francis a Limborch, *a worthy Relation of the learned Author's, to whom I take this Opportunity of returning my ſincere Thanks*

*for ſo valuable a Preſent. The Reader will find them included within theſe Hooks* [ ]. *I have added alſo a few marginal Notes, to explain ſome of the Terms made uſe of, and to confirm the Hiſtory it ſelf.*

*As to the Introduction, I thought it neceſſary to trace the Hiſtory of Perſecution from its firſt Beginnings, and thus to connect it with the Account of the Inquiſition. Though it be long, it might have been greatly enlarged, eſpecially with ſeveral remarkable Inſtances of it amongſt the* Pagans. *I cannot help inſerting here one very extraordinary Paſſage from* Livy, *the* Roman *Hiſtorian, though it be a little out of its Place. He tells us* *,

" *That ſuch a foreign Religion ſpread it ſelf over the City, that* Lib. 25.
" *either Men or the Gods ſeemed entirely changed; that the* c. 10.
" Roman *Rites were not only forſaken in private, and within the*
" *Houſes, but that even publickly, in the Forum and Capitol,*
" *great Numbers of Women flocked together, who neither ſacrificed*
" *nor pray'd to the Gods, according to the manner of their Anceſtors.*
" *——This firſt excited the private Indignation of good Men, till*
" *at length it reached the Fathers, and became a publick Complaint.*
" *The Senate greatly blamed the Ædiles and capital Triumvirs, that they did not prohibit them, and when they endea-*

* Tanta religio, et ea magna ex parte externa, civitatem inceſſit, ut aut homines, aut Dii repente alii viderentur facti; nec jam in ſecreto modo atq; intra parietes abolebantur Romani ritus, ſed in publico etiam ac foro Capitalioq; mulierum turba erat, nec ſacrificantium nec precantium Deos patrio more.——Primo ſecretæ bonorum indignationes exaudiebantur, deinde ad patres etiam, et ad publicam querimoniam exceſſit res. Incuſati graviter ab Senatu Ædiles Triumviriq; capitales, quod non prohiberent: quum emovere eam multitudinem a foro, ac disjicere apparatus ſacrorum conati eſſent, haud procul afuit quin violarentur. Ubi potentius jam eſſe id malum apparuit quam ut minores per Magiſtratus ſedaretur, M. Atilio, prætori urbis negotium ab Senatu datum eſt, ut his religionibus populum liberaret. Is et in concione Senatus conſultum recitavit, et edixit, Ut quicumq; libros vaticinos precationeſve, aut artem ſacrificandi conſcriptam haberet, eos libros omnes litoraſq; ad ſe ante Calendas Aprilis deferret; neu quis in publico ſacrove loco, novo aut externo ritu ſacrificaret.

" *voured to drive away the Multitude from the Forum, and to* " *throw down the Things they had provided for performing their* " *ſacred Rites, they were like to be torn in Pieces. And when* " *the Evil grew too great to be cured by inferior Magiſtrates,* " *the Senate order'd* M. Atilius *the Pretor of the City, to pre-* " *vent the Peoples uſing theſe Religions.*" *He accordingly publiſh'd this Decree of the Senate, that* whoever had any Fortune-telling Books, or Prayers, or Ceremonies about Sacrifices written down, they ſhould bring all ſuch Books and Writings to him, before the Calends of *April*, and that no one ſhould uſe any new or foreign Rite of ſacrificing in any publick or ſacred Place.

Apud Dion. Caſſium, l. 52. Mecenas, *in his Advice to* Auguſtus, *ſays to him:* Perform divine Worſhip in all Things exactly according to the Cuſtom of your Anceſtors, and compel others to do ſo alſo; and as to thoſe who make any Innovations in Religion, hate and puniſh them; and that not only for the ſake of the Gods, but becauſe thoſe who introduce new Deities, excite others to make Changes in Civil Affairs. Hence Conſpiracies, Seditions, and Riots, Things very dangerous to Government. *Accordingly* Suetonius, *in his Life of this Prince, gives him this Character:* " *That tho' he* " *religiouſly obſerved the ancient preſcribed Ceremonies, yet he* " *contemned all other foreign ones, and commended* Caius, *for* " *that paſſing by* Judæa, *he would not pay his Devotions at* Jeru-

Vit. Aug. c. 93.

Ibid. c. 35. " ſalem." *He alſo, as the ſame Author tells us* *, *made a Law, very much reſembling our Teſt Act, by which he commanded, that* before any of the Senators ſhould take their Places in

* Quo autem——religioſius Senatoria munera fungerentur, ſanxit ut priuſquam conſideret quiſque, thure ac mero ſupplicaret apud aram ejus Dei, in cujus templo coiretur.

Council,

Council, they ſhould offer Frankincenſe and Wine upon the Altar of that God in whoſe Temple they met.

*Theſe and other Paſſages that may be mention'd, abundantly prove that the Heathens were as much in Principle, and as really in Practice, Perſecutors as the Chriſtians; and 'tis therefore very unfair and unreaſonable to make it an Objection againſt Chriſtianity, that ſo many of the Profeſſors of it have, in all Ages, given into theſe ungodly and wicked Meaſures. If it proves any Thing, it will prove as much againſt natural Reaſon and Religion, as it doth againſt the Religion of Jeſus. And if the Vices of Men, who have had no other Guide but the former, prove nothing againſt the Sufficiency and Goodneſs of them, Chriſtians alſo may be very wicked Men, and yet the Religion they profeſs be a very excellent and divine one.*

*If any ſhould ask, why I trouble the World with the Accounts of the Perſecutions that Chriſtians have raiſed againſt each other, at this Time, now that the Clergy of all Denominations ſeem to be entering into more moderate Meaſures; I anſwer, to give the little Aſſiſtance I am able towards promoting a truly catholick and charitable Diſpoſition; there being, as I apprehend, no way ſo proper to expoſe the Doctrine and Practice of Perſecution, as by a fair Repreſentation of the unſpeakable Miſchiefs that have been occaſioned by it; nor any other Method ſo likely to render it the univerſal Abhorrence of Mankind, as to let them ſee, by paſt Examples, what Miſeries they muſt expect, if God ſhould ever, for our Sins, ſubject us again to the Yoak of Eccleſiaſtical Power; which, wherever 'tis not kept under ſtrict Reſtraint, will uſurp upon the Authority and Dignity of Princes, and trample under Foot all the civil and religious Liberties of Mankind. 'Tis therefore highly incumbent upon all Perſons in their ſeveral Stations; 'tis what the Gentlemen of* England,

who

*who are born to Eſtates and Honours, and know the true Value of Liberty and Property, are more eſpecially concern'd in, to do all they can to prevent the Encroachments and gradual Increaſes of ſpiritual Tyranny; it being much more eaſy to do this, than to free themſelves from it, when once they have tamely ſubmitted to the Uſurpations of it.*

*If the perſecuting Spirit declines, 'tis far from being wholly extinguiſhed. The Claims of the Church, that now lie dormant, want nothing but a fair Opportunity to revive. And for the Truth of this, I appeal to the late famous Controverſy about Church Power and Authority. May God Almighty, of his infinite Mercy, inſpire all Ranks and Degrees of Men with ſuch a Love to Liberty, and with ſuch a Senſe of the Greatneſs of their Privilege, in being free as to their Conſciences, Religion, Perſons, and Eſtates, as ſhall ſecure us from all Attempts to deprive us of it, or, at leaſt, as ſhall render all ſuch Attempts from warm deſigning Bigots wholly ineffectual.*

*'Tis, indeed, impoſſible to prevent all Abuſes of Liberty: But theſe are infinitely more tolerable than the Evils that muſt neceſſarily flow from Eccleſiaſtical Tyranny, which is deſtructive to Knowledge, Learning, Piety and Virtue, and every Thing that is dear and valuable to Men and Chriſtians. Even theſe Abuſes of Liberty have render'd many of the Clergy of the Church of* England *immortal, by their excellent Defences of the Chriſtian Religion; and I perſuade my ſelf that their Lordſhips of* London, Durham, Litchfield *and* Coventry, *had rather be*

*remem-*

*remember'd and known to Poſterity by* Paſtoral Letters, Defences of Chriſtianity, *and* Vindications of Chriſt's Miracles, *than by that Rigidneſs and cruel Zeal for Uniformity in Opinions, and lifeleſs Ceremonies, by which many of their Predeceſſors have left an indelible Stain on their Names and Memories. May they go on thus to adorn their Epiſcopal Character; and, by being Examples of Chriſtian Piety, Moderation, and Forbearance, influence the inferior Clergy to imitate them.*

*I have nothing more to add, but to deſire the Reader to over-look any leſſer Faults that may have eſcaped me in the Introduction or Tranſlation, and to ask my Subſcribers Pardon for the long Delay of this Work. The ill State of my Health for many Months paſt, and my conſtant Engagements in Life, will be allowed as ſome Excuſe by all equitable Perſons. As to thoſe who can make me no Allowance, all I can ſay to them is, that as this is the firſt Book that I have publiſhed by Subſcription, ſo, according to my preſent Judgment, 'twill be the laſt. Such as it is, if it will do any Good, I ſhall be thankful to God, and not repent my own Labour.*

London, Sept. 8, 1732.

SAMUEL CHANDLER.

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THE

# THE INTRODUCTION: BEING THE HISTORY OF PERSECUTION.

AS Religion is a Matter of the higheſt Importance to every Man, there can be nothing which deſerves a more impartial Inquiry, or which ſhould be examined into with a more diſintereſted Freedom; becauſe as far as our Acceptance with the Deity depends on the Knowledge and Practice of it, ſo far Religion is, and muſt be, to us a purely perſonal Thing, in which therefore we ought to be determined by nothing but the Evidence of Truth, and the rational Convictions of our own Mind and Conſcience. Without ſuch an Examination and Conviction we ſhall be in danger of being impoſed on by crafty and deſigning Men, who will not fail to make their Gain of the Ignorance and Credulity of thoſe they can deceive, nor ſcruple to recommend to them the worſt

Principles and Superſtitions, if they find them conducive or neceſſary to ſupport their Pride, Ambition and Avarice. The Hiſtory of almoſt all Ages and Nations is an abundant Proof of this Aſſertion.

God himſelf, who is the Object of all religious Worſhip, to whom we owe the moſt abſolute Subjection, and whoſe Actions are all guided by the diſcerned Reaſon and fitneſs of Things, cannot, as I apprehend, conſiſtent with his own moſt perfect Wiſdom, require of his reaſonable Creatures the explicite Belief of, or actual Aſſent to any Propoſition which they do not, or cannot either wholly or partly underſtand; becauſe 'tis requiring of them a real Impoſſibility, no Man being able to ſtretch his Faith beyond his Underſtanding, *i. e.* to ſee an Object that was never preſent to his Eyes, or to diſcern the Agreement or Diſagreement of the different Parts of a Propoſition, the Terms of which he hath never heard of, or cannot poſſibly underſtand. Neither can it be ſuppoſed that God can demand from us a Method of Worſhip of which we cannot diſcern ſome reaſon and fitneſs, becauſe it would be to demand from us Worſhip without Underſtanding and Judgment, and without the Concurrence of the Heart and Conſcience, *i. e.* a Kind of Worſhip different from, and excluſive of that, which in the Nature of Things is the moſt excellent and beſt, *viz.* the Exerciſe of thoſe pure and rational Affections, and that Imitation of God by Purity of Heart, and the Practice of the Virtues of a good Life, in which the Power, Subſtance, and Efficacy of true Religion doth conſiſt. If therefore nothing can or ought to be believed, but under the Direction of the Underſtanding, nor any Scheme of Religion and Worſhip to be received but what appears reaſonable in it ſelf, and worthy of God; the neceſſary Conſequence is, that every Man is bound in Intereſt and Duty to make the beſt Uſe he can of his reaſonable Powers, to examine without fear, all Principles before he receives them, and all Rites and Means of Religion and Worſhip before he ſubmits to and complies with them. This is the common Privilege of human Nature, which no Man ought ever to part with himſelf, and of which he can't be deprived by others, without the greateſt Injuſtice and Wickedneſs.

'Twill, I doubt not, appear evident beyond Contradiction, to all who impartially conſider the Hiſtory of paſt Ages and Nations, that where and whenever Men have been abridged, or wholly deprived of this Liberty, or have neglected to make the due and proper Uſe of it, or ſacrificed their own private Judgments to the publick Conſcience, or complimented the licenſed ſpiritual Guides with the Direction of them, Ignorance and Superſtition have proportionably prevailed; and that to theſe Cauſes have been owing thoſe great Corruptions of Religion which have done ſo much Diſhonour to God, and where-ever they have prevailed, been deſtructive to the Intereſts of true Piety and Virtue. So that inſtead of ſerving God with their Reaſon and Underſtanding, they have ſerved their ſpiritual Leaders without either, and have been ſo far from rendring themſelves acceptable to their Maker, that they have the more deeply, 'tis to be feared, incurred his Diſpleaſure; becauſe God can't but diſlike the *Sacrifice of Fools*, and therefore of ſuch who either neglect to

improve the reaſonable Powers he hath given them, or part with them in complaiſance to the proud, ambitious, and ungodly Claims of others, which is one of the higheſt Inſtances of Folly that can poſſibly be mentioned.

I will not indeed deny, but that the appointing Perſons, whoſe peculiar Office it ſhould be to miniſter in the external Services of publick and ſocial Worſhip, is, when under proper Regulations, of Advantage to the Decency and Order of Divine Service. But then I think it of the moſt pernicious Conſequence to the Liberties of Mankind, and abſolutely inconſiſtent with the true Proſperity of a Nation, as well as with the Intereſt and Succeſs of rational Religion, to ſuffer ſuch Miniſters to become the Directors general of the Conſciences and Faith of others, or publickly to aſſume, and exerciſe ſuch a Power, as ſhall oblige others to ſubmit to their Determinations without being convinced of their being wiſe and reaſonable, and never to diſpute their ſpiritual Decrees. The very Claim of ſuch a Power is the higheſt Inſolence, and an Affront to the common Senſe and Reaſon of Mankind; and where-ever 'tis uſurped and allowed, the moſt abject Slavery both of Soul and Body is almoſt the unavoidable Conſequence. For by ſuch a Submiſſion to ſpiritual Power the Mind and Conſcience is actually enſlaved, and by being thus render'd paſſive to the Prieſt, Men are naturally prepared for a ſervile Subjection to the Prince, and for becoming Slaves to the moſt arbitrary and tyrannical Government. And I believe it hath been generally found true by Experience, that the ſame Perſons who have aſſerted their own Power over others in Matters of Religion and Conſcience, have alſo aſſerted the abſolute Power of the Civil Magiſtrate, and been the avowed Patrons of thoſe admirable Doctrines of Paſſive-Obedience and Non-Reſiſtance for the Subject. Our own Nation is ſufficiently witneſs to the Truth of this.

'Tis therefore but too natural to ſuſpect, that the ſecret Intention of all ghoſtly and ſpiritual Directors and Guides in decrying Reaſon, the nobleſt Gift of God, and without which even the Being of a God, and the Method of our Redemption by Jeſus Chriſt, would be of no more ſignificancy to us than to the Brutes that periſh, is in reality the Advancement of their own Power and Authority over the Faith and Conſciences of others, to which ſound Reaſon is, and ever will be an Enemy. For though I readily allow the great Expediency and Need of Divine Revelation to aſſiſt us in our Inquiries into the Nature of Religion, and to give us a full View of the Principles and Practices of it; yet a very ſmall Share of Reaſon, without any ſupernatural Help, will ſuffice, if attended to, to let me know that my Soul is my own, and that I ought not to put my Conſcience out to keeping to any Perſon whatſoever, becauſe no Man can be anſwerable for it to the great God but my ſelf; and that therefore the Claim of Dominion, whoever makes it, either over mine or any others Conſcience, is meer Impoſture and Cheat, that hath nothing but Impudence or Folly to ſupport it, and as truely viſionary and romantick as the imaginary Power of Perſons diſorder'd in their Senſes, and which would be of no more Significancy and Influence amongſt Mankind than theirs, did not either the Views of ambitious Princes, or the Superſtition and Folly of Bigots encourage and ſupport it.

On these Accounts it is highly incumbent on all Nations, who enjoy the Blessings of a limited Government, who would preserve their Constitution, and transmit it safe to Posterity, to be jealous of every Claim of spiritual Power, and not to enlarge the Authority and Jurisdiction of spiritual Men, beyond the Bounds of Reason and Revelation. Let them have the freest Indulgence to do good, and spread the Knowledge and Practice of true Religion, and promote Peace and Good-will amongst Mankind. Let them be applauded and encouraged, and even rewarded, when they are Patterns of Virtue, and Examples of real Piety to their Flocks. Such Powers as these God and Man would readily allow them, and as to any other I apprehend they have little right to them, and am sure they have seldom made a wise or rational Use of them. On the contrary, numberless have been the Confusions and Mischiefs introduced into the World, and occasioned by the Usurpers of spiritual Authority. In the Christian Church they have ever used it with Insolence, and generally abused it to Oppression and the worst of Cruelties. And though the History of such Transactions can never be a very pleasing and grateful Task, yet I think, on many Accounts it may be useful and instructive; especially as it may tend to give Men an Abhorrence of all the Methods of Persecution, and put them upon their Guard against all those ungodly Pretensions, by which Persecution hath been introduced and supported.

But how much soever the persecuting Spirit hath prevailed amongst those who have called themselves Christians, yet certainly 'tis a great mistake to confine it wholly to them. We have Instances of Persons, who were left to the Light of Nature and Reason, and never suspected of being perverted by Revelation, murthering and destroying each other on the Account of Religion; and of some judicially condemned to Death for differing from the Orthodox, *i. e.* the established Idolatry of their Country. And I doubt not, but that if we had as full and particular an Account of the Transactions of the different religious Sects and Parties amongst the Heathens, as we have of those amongst Christians, we should find a great many more Instances of this kind, than 'tis easy or possible now to produce. However, there are some very remarkable ones which I shall not wholly omit.

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## SECT. I.

### *Of Persecutions amongst the Heathens upon Account of Religion.*

Cap. 5. v. 6, &c. THERE is a Passage in the Book of *Judith* which intimates to us, that the Ancestors of the *Jews* themselves were persecuted upon Account of their Religion. *Achior*, Captain of the Sons of *Ammon*, gives *Holofernes* this Account of the Origin of that Nation. *This People are descended of the* Chaldeans; *and they sojourned heretofore in* Mesopotamia, *because they would not follow the Gods of their Fathers which were in the Land of* Chaldea; *for they left the Way of their Ancestors*,

*Anceſtors, and worſhipped the God of Heaven, the God whom they knew. So they caſt them out from the Face of their Gods, and they fled into* Meſopotamia, *and ſojourned there many Days.* St. *Auſtin* and *Marſham* both take Notice of this Tradition; which is farther confirmed by all the oriental Hiſtorians, who, as the learned Dr. *Hyde* tells us, unanimouſly affirm, that *Abraham* ſuffered many Perſecutions upon the Account of his Oppoſition to the Idolatry of his Country; and that he was particularly impriſoned for it by *Nimrod* in *Ur*. Some of the eaſtern Writers alſo tell us, that he was thrown into the Fire, but that he was miraculouſly preſerved from being conſumed in it by God. This Tradition alſo the *Jews* believed, and is particularly mentioned by *Jonathan* in his *Targum* upon *Gen.* xi. 28. So early doth Perſecution ſeem to have begun againſt the Worſhippers of the true God.

De civit. Dei, l. 16. c. 13. Marſh. Cron. § 5. De Relig. Perſ. c. 2.

*Socrates*, who in the Judgment of an Oracle was the wiſeſt Man living, was perſecuted by the *Athenians* on the Account of his Religion, and when paſt ſeventy Years of Age brought to a publick Trial and condemned. His Accuſation was principally this, That he did unrighteouſly and curiouſly ſearch into the great Myſteries of Heaven and Earth; [a] that he corrupted the Youth, and did not eſteem the Gods worſhipped by the City to be really Gods, and that he introduced new Deities. This laſt part of his Accuſation was undoubtedly owing to his inculcating upon them more rational and excellent Conceptions of the Deity, than were allowed by the eſtabliſhed Creeds of his Country, and to his arguing againſt the Corruptions and Superſtitions which he ſaw univerſally practiſed by the *Greeks*. This was called corrupting the Youth who were his Scholars, and what, together with his ſuperior Wiſdom, raiſed him many Enemies amongſt all ſorts of People, who loaded him with Reproaches, and ſpread Reports concerning him greatly to his Diſadvantage, endeavouring thereby to prejudice the Minds of his very Judges againſt him. When he was brought to his Trial ſeveral of his Accuſers were never ſo much as named or diſcovered to him, ſo that as he himſelf complained, he was as it were fighting with a Shadow, when he was defending himſelf againſt his Adverſaries, becauſe he knew not whom he oppoſed, and had no one to anſwer him. However, he maintained his own Innocence with the nobleſt Reſolution and Courage; ſhewed he was far from corrupting the Youth, and openly declared that he believed the Being of a God. And as the Proof of this his Belief he bravely ſaid to his Judges, that though he was very ſenſible of his Danger from the Hatred and Malice of the People, yet that as he apprehended God himſelf had appointed him to teach his Philoſophy, ſo he ſhould grievouſly offend him ſhould he forſake his Station through fear of Death, or any other Evil; and that for ſuch a Diſobedience to the Deity they might more juſtly accuſe him as not believing there were any Gods: Adding, as though he had ſomewhat of the ſame bleſſed Spirit that afterwards reſted on the Apoſtles of Chriſt, that if they would diſmiſs him upon the Condition of not teaching his Philoſophy any more,

Plat. in Apolog. pro Socrate. Diog. Laert. in vit. Soc.

[a] Αδικει Σωκρατης ους μεν η πολις νομιζει Θεους ου νομιζων· ετερα δε καινα δαιμονια εισηγουμενος. Αδικει δε και τους νεους διαφθειρων. Τιμημα θανατος.

[b] *I will obey God rather than you, and teach my Philoſophy as long as I live.* However, notwithſtanding the Goodneſs of his Cauſe and Defence, he was condemned for Impiety and Atheiſm, and ended his Life with a Draught of Poiſon, dying a real Martyr for God, and the Purity of his Worſhip. Thus we ſee that in the Ages of natural Reaſon and Light, not to be orthodox, or to differ from the eſtabliſhed Religion, was the ſame Thing as to be impious and atheiſtical, and that one of the wiſeſt Men that ever lived was put to Death merely on account of his Religion.

I muſt add, in Juſtice to the Laity, that the Judges and Accuſers of *Socrates* were not Prieſts. *Melitus* was a Poet, *Anytus* an Artificer, and *Lycon* an Orator; ſo that the Proſecution was truly Laick, and the Prieſts don't appear to have had any Share in his Accuſation, Condemnation, and Death. Nor, indeed, was their any Need of the Aſſiſtance of Prieſtcraft in this Affair, the Proſecution of this excellent Man being perfectly agreeable to the Conſtitution and Maxims of the *Athenian* Government; which had, to uſe the Words of a late Reverend Author, incorporated or made Religion a Part of the Laws of the civil Community. One of the *Attick* Laws was to this Effect: [c] *Let it be a perpetual Law, and binding at all Times, to worſhip our national Gods and Heroes publickly, according to the Laws of our Anceſtors.* So that no new Gods, nor new Doctrines about old Gods, nor any new Rites of Worſhip, could be introduced by any Perſon whatſoever, without incurring the Penalty of this Law, which was Death. Thus *Joſephus* tells us, that 'twas prohibited by Law to teach new Gods, and that the Puniſhment ordained againſt thoſe who ſhould introduce any ſuch, was Death. Agreeably to this, the Orator *Iſocrates*, pleading in the Grand Council of *Athens*, puts them in mind of the Cuſtom and Practice of their Anceſtors: [d] *This was their principal Care to aboliſh nothing they had received from their Fathers in Matters of Religion, nor to make any Addition to what they had eſtabliſhed.* And therefore, in his Advice to *Nicocles*, he exhorts him to [e] be *of the ſame Religion with his Anceſtors.* So that the Civil Eſtabliſhment of Religion in *Athens* was entirely excluſive, and no Toleration whatſoever allowed to thoſe who differed from it. On this Account the Philoſophers in general were, by a publick Decree, baniſhed from *Athens*, as teaching heterodox Opinions, and corrupting the Youth in Matters of Religion, and by a Law, very much reſembling the famous modern *Schiſm Bill*, [f] prohibited from being Maſters and Teachers of Schools, without Leave of the Senate and People, even under Pain of Death. This Law, indeed, like the other, was but very ſhort lived, and *Sophocles* the Author of it puniſhed in a Fine of five Talents. *Lyſimachus* alſo baniſhed them from his Kingdom. 'Tis evident from theſe Things, that according to the *Athenian* Conſtitution, *Socrates* was legally condemned for not

Dr Rogers *Vind. of the Civil Eſtabliſhment*, &c.

Cont. Apion. l. 2. c. 37.

Iſocrat. Areop.

Diog. Laert. l. 5. *Theophr.* Athen. l. 13. c. 9.

[b] Πειθομαι τῳ θεῳ μαλλον η υμιν. Plat. Ibid. Act. 5. 29.

[c] Θεσμος αιωνιος τοις Αττιδα νεμομενοις, κυειν τον απαντα χρονον, Θεους τιμαν κ ηρωας εγχωριους εν κοινω εμπολιμοις νομοις πατριοις.

[d] Εκεινο μονον ετηρουν οπως μηδεν μητε των πατριων καταλυσωσι, μητ' εξω των νομιζομενων προσθησωσιν.

[e] Τα περι τους Θεους ποιει μεν ως οι προγονοι κατεδειξαν.

[f] Μηδενα των φιλοσοφων σχολης αφηγεισθαι, αν μη τη βουλη κ τω δημω δοξη· ει δε μη, θανατον ειναι την ζημιαν.

believing

believing in the Gods of his Country, and presuming to have better Notions of the Deity than his Superiors. In like manner, a certain Woman, a Priestess, was put to Death upon an Accusation of her introducing new Deities. Joſ. Ibid.

*Diogenes Laertius* tells us, that *Anaxagoras*, the Philosopher, was accused of Impiety, becaus he [g] affirmed, that *the Sun was a Globe of red hot Iron*; which was certainly great Heresy, becaus his Country worshipped him as a God. In vit. Anax.

*Stilpo* was also banished his Country, as the same Writer tells us, becaus he denied [h] *Minerva to be a God, allowing her only to be a Goddess*. A very deep and curious Controversy this, and worthy the Cognizance of the Civil Magistrate. l. 5. c. 38.

*Diagoras* was also condemned to Death, and a Talent decreed to him that should kill him upon his Escape, being accused of deriding the Mysteries of the Gods. *Protagoras* also would have suffered Death, had he not fled his Country, becaus he had written something about the Gods, that differed from the orthodox Opinions of the *Athenians*. Upon the same Account, *Theodorus*, called *Atheus*, was also put to Death. Joseph. Ibid. Athen. Ibid.

The *Lacedemonians* constantly expelled Foreigners, and would not suffer their own Citizens to dwell in Foreign Parts, becaus they imagined that both the one and the other tended to corrupt and weaken their own Laws; nor would they suffer the teaching of Rhetorick or Philosophy, becaus of the Quarrels and Disputes that attended it. The *Scythians*, who delighted in human Blood, and were, as *Josephus* says, little different from Beasts, yet were zealously tenacious of their own Rites, and put *Anacharsis*, a very wise Person, to death, becaus he seemed to be very fond of the *Grecian* Rites and Ceremonies. *Herodotus* says, that he was shot through the Heart with an Arrow, by *Saulius* their King, for sacrificing to the Mother of the Gods after the manner of the *Grecians*; and that *Scyles*, another of their Kings, was deposed by them, for sacrificing to *Bacchus*, and using the *Grecian* Ceremonies of Religion, and his Head afterwards cut off by *Octamasades*, who was chosen King in his room. *So rigid were they*, says the Historian, *in maintaining their own Customs, and so severe in punishing the Introducers of foreign Rites*. Many also amongst the *Persians* were put to Death on the same Account. And, indeed, 'twas almost the Practice of all Nations to punish those who disbelieved or derided their national Gods; as appears from *Timocles*, who, speaking of the Gods of the *Ægyptians*, says, *How shall the Ibis, or the Dog, preserve me?* [i] And then adds, *Where is the Place that doth not immediately punish those who behave impiously towards the Gods, such as are confessed to be Gods?* Joseph. Ibid. Herodot. Melpom. 109. Ed. Hen. Steph. Joseph. Ibid. Athen. l. 7. c. 13.

*Juvenal* [k] gives us a very tragical Account of some Disputes and Quarrels about Religion amongst the *Ægyptians*, who entertained an eternal Hatred Satyr. 15.

[g] Διοτι τον ηλιον μυδρον ελεγε διαπυρον.
[h] Μη ειναι αυτην Θεον, αλλα Θειαν.
[i] Ὅπου γαρ εις Θεους τους ομολογουμενους Θεους ασεβουντες η διδοασιν ευθεως Δικην.
[k] Inter finittimos vetus atq; antiqua simultas,
Immortale odium, & nunquam sanabile vulnus
Ardet adhuc, Ombos & Tentyra. Summus utrinq;
Inde furor vulgo, quod numina vicinorum
Odit uterq; locus, cum solos credat habendos
Esse deos quos ipse colit.

and

and Enmity againſt each other, and eat and devoured one another, becauſe they did not all worſhip the ſame God.

*Engliſh'd by Mr. Dryden, &c. Joſeph. cont. Ap. l. 2. §. 6.*

Ombos *and* Tentyr, *neighbouring Towns, of late,*
*Broke into Outrage of deep feſter'd Hate.*
*Religious Spite and pious Spleen bred firſt*
*This Quarrel, which ſo long the Bigots nurſt.*
*Each calls the others God a ſenſeleſs Stock,*
*His own, Divine, tho' from the ſelf-ſame Block.*
*At firſt both Parties in Reproaches jar,*
*And make their Tongues the Trumpets of the War.*
*Words ſerve but to enflame the warlike Liſts,*
*Who wanting Weapons clutch their horny Fiſts.*
*Yet thus make ſhift t'exchange ſuch furious Blows,*
*Scarce one eſcapes with more than half a Noſe.*
*Some ſtand their Ground with half their Viſage gone,*
*But with the Remnant of a Face fight on.*
*Such tranſform'd Spectacles of Horror grow,*
*That not a Mother her own Son would know.*
*One Eye remaining, for the other Spies,*
*Which now on Earth a trampled Gelly lies.*

All this religious Zeal hitherto is but mere Sport and childiſh Play, and therefore they piouſly proceed to farther Violences, to hurling of Stones, and throwing of Arrows, till one Party routs the other, and the Conquerors feaſt themſelves on the mangled Bodies of their divided Captives.

*Yet hitherto both Parties think the Fray,*
*But Mockery of War, mere Childrens Play.*
*This whets their Rage, to ſearch for Stones* ——
*An* Ombite *Wretch (by Headlong ſtrait betray'd,*
*And falling down i'th' Rout) is Priſoner made.*
*Whoſe Fleſh torn off by Lumps the ravenous Foe*
*In Morſels cut, to make it farther go.*
*His Bones clean pick'd, his very Bones they gnaw;*
*No Stomach's baulk'd, becauſe the Corps is raw.*
*T' had been loſt Time to dreſs him: Keen Deſire*
*Supplies the Want of Kettle, Spit, and Fire.*

De Iſid. & Oſir. *p.* 380. Ed. Franc.

*Plutarch* alſo relates, that in his Time ſome of the *Ægyptians* who worſhipp'd a Dog, eat one of the Fiſhes, which others of the *Ægyptians* adored as their Deity; and that upon this the Fiſh Eaters laid hold on the other's Dogs, and ſacrificed and eat them, and that this gave Occaſion to a bloody Battle, in which a great Number were deſtroy'd on both Sides.

*Antiochus*

*Antiochus Epiphanes*, tho' a very wicked Prince, yet was a great Zealot for his Religion, and endeavoured to propagate it by all the Methods of the most bloody Perſecution. *Joſephus* tells us, that after he had taken *Jeruſalem*, and plunder'd the Temple, he cauſed an Altar to be built in it, upon which he ſacrificed Swine, which were an Abomination to the *Jews*, and forbidden by their Laws. Not content with this, he compelled them to forſake the Worſhip of the true God, and to worſhip ſuch as he accounted Deities; building Altars and Temples to them in all the Towns and Streets, and offering Swine upon them every Day. He commanded them to forbear circumciſing their Children, grievouſly threatning ſuch as ſhould diſobey his Orders. He alſo appointed *Epiſcopos*, *Overſeers*, to compel the *Jews* to come in, and do as he had ordered them. Such as rejected it, were continually perſecuted, and put to Death, with the moſt grievous Tortures. He ordered them to be cruelly ſcourged, and their Bodies to be tore, and before they expired under their Tortures, to be crucified. The Women, and the Children which they circumciſed, were, by his Command, hanged, the Children hanging from the Necks of their crucified Parents. Where-ever he found any of the ſacred Books, or of the Law, he deſtroy'd them, undoubtedly to prevent the Propagation of heretical Opinions, and puniſhed with Death ſuch as kept them. The ſame Author tells us alſo, in his Hiſtory of the *Maccabees*, that *Antiochus* put forth an Edict, whereby he made it Death for any to obſerve the *Jewiſh* Religion, and compelled them, by Tortures, to abjure it. The inhuman Barbarities he exerciſed upon *Eleazar* and the *Maccabees*, becauſe they would not renounce their Religion, and ſacrifice to his *Gretian* Gods, are not, in ſome Circumſtances, to be paralled by any Hiſtories of Perſecution extant, and will ever render the Name and Memory of that *illuſtrious Tyrant* execrable and *infamous*. It was on the ſame religious Account that he baniſhed the Philoſophers from all Parts of his Kingdom, the Charge againſt them being, *their corrupting the Youth*, *i. e.* teaching them Notions of the Gods, different from the common orthodox Opinions which were eſtabliſhed by Law, commanding *Phanias*, that ſuch Youths as converſed with them ſhould be hanged.

Antiq. Jud. l. 12. c. 5.

Athen. l. 12. c. 12.

The ten Perſecutions, as they are reckoned, of the Chriſtians by the *Roman* Emperors, purely for their Religion, are ſtanding Monuments of their religious Zeal, or rather of their outragious Fury againſt all who would not comply with the eſtabliſhed Religion. Indeed, the very civil Conſtitution of *Rome* was founded upon perſecuting Principles. *Tertullian* tells us, [i] *That 'twas an ancient Decree that no Emperor ſhould conſecrate a new God, unleſs he was approved by the Senate*; and one of the ſtanding Laws of the Republick was to this Effect, as *Cicero* gives it, [k] *That no one ſhould have ſeparately new Gods, no nor worſhip privately foreign Gods, unleſs admitted by the Commonwealth.* This

Apol. c. 2.

De Leg. l. 2.

[i] Vetus erat decretum ne qui Deus ab imperatore conſecraretur, niſi a Senatu probatus.

[k] Separatim nemo habeſſit deos neve novos, ſed ne advenas, niſi publice adſcitos, privatim colunto.

Law he endeavours to vindicate by Reason and the Light of Nature, by adding, That *for Persons to worship their own, or new, or foreign Gods, would be to introduce Confusion and strange Ceremonies in Religion.* So true a Friend was this eminent *Roman*, and great Master of Reason, to Uniformity of Worship; and so little did he see the Equity, and indeed Necessity of an universal Toleration in Matters of Religion. Upon this Principle, after he had reasoned well against the false Notions of God that had obtained amongst his Countrymen, and the publick Superstitions of Religion, he concludes with what was enough to destroy the Force of all his Arguments, [l] *'Tis the Part of a wise Man to defend the Customs of his Ancestors, by retaining their sacred Rites and Ceremonies.* Thus narrow was the Foundation of the *Roman* Religion, and thus inconsistent the Sentiments of the wisest Heathens with all the Principles of Toleration and universal Liberty. It was no wonder therefore that Christianity, which was so perfectly contrary to the whole System of Pagan Theology, should be looked upon with an evil Eye, or that when the Number of Christians encreased, they should incur the Displeasure of the Civil Magistrate, and the Censure of the penal Laws that were in force against them.

De Leg. l. 2. c. 10.

De Divin. l. 2. fin.

The first publick Persecution of them by the *Romans* was begun by that Monster of Mankind, *Nero*; who, to clear himself of the Charge of burning *Rome*, endeavoured to fix the Crime on the Christians; and having thus falsly and tyrannically made them guilty, he put them to Death by various Methods of exquisite Cruelty. But though this was the Pretence for this Barbarity towards them, yet it evidently appears from undoubted Testimonies, that they were before hated upon Account of their Religion, and were therefore fitter Objects to fall a Sacrifice to the Resentment and Fury of the Tyrant. For *Tacitus* tells us, That *they were* [m] *hated for their Crimes.* And what these were, he afterwards sufficiently informs us, by calling their Religion [n] *an execrable Superstition.* In like manner *Suetonius*, in his Life of *Nero*, speaking of the Christians, says, [o] *They were a Set of Men who had embraced a new and accursed Superstition.* And therefore *Tacitus* farther informs us, That those who confessed themselves Christians, [p] *were condemned not so much for the Crime of burning the City, as for their being hated by all Mankind.* So that 'tis evident from these Accounts, that 'twas through popular Hatred of them for their Religion, that they were thus sacrificed to the Malice and Fury of *Nero*. Many of them he dressed up in the Skins of wild Beasts, that they might be devoured by Dogs. Others he crucified. Some he cloathed in Garments of Pitch and burnt them, that by their Flames he might supply the Absence of the Day-light.

Annal. l. 15. c. 44.

Ibid. Cap. 16.

Annal. l. 15. c. 44.

The Persecution begun by *Nero* was revived, and carried on by *Domitian*, who put some to Death, and banish'd others upon Account of their Religion. *Eusebius* mentions *Flavia Domitilla*, Neice to *Flavius Clemens*, then Consul, as

E. H. l. 3. c. 17, 18.

[l] Majorum Instituta tueri sacris Ceremoniisque retinendis, sapientis est.
[m] Per flagitia invisos.
[n] Exitiabilis superstitio.
[o] Genus Hominum, superstitionis novæ & maleficæ.
[p] Haud perinde in crimine incendii, quam odio humani generis convicti.

banished

baniſhed for this Reaſon to the Iſland *Pontia*. *Dion* the Hiſtorian's Account of this Affair is ſomewhat different. [q] "He tells us, That *Fabius Clemens* the "Conſul, *Domitian*'s Couſin, who had married *Flavia Domitilla*, a near Re- "lation of *Domitian*, was put to Death by him, and *Domitilla* baniſhed "to *Pandataria*, being both accuſed of Atheiſm; and that on the ſame Ac- "count many who had embraced the *Jewiſh* Rites were likewiſe condemned, "ſome of whom were put to Death, and others had their Eſtates confiſca- "ted." I think this Account can belong to no other but the Chriſtians, whom *Dion* ſeems to have confounded with the *Jews*; a Miſtake into which he and others might naturally fall, becauſe the firſt Chriſtians were *Jews*, and came from the Land of *Judea*. The Crime with which theſe Perſons were charged was Atheiſm; the Crime commonly imputed to Chriſtians, becauſe they refuſed to worſhip the *Roman* Deities. And as there are no Proofs, that *Domitian* ever perſecuted the *Jews* upon account of their Religion, nor any Intimation of this Nature in *Joſephus*, who finiſhed his Antiquities towards the latter end of *Domitian*'s Reign; I think the Account of *Euſebius*, which he declares he took from Writers, who were far from being Friends to Chriſtianity, is preferable to that of *Dion*'s; and that therefore theſe Perſecutions by *Domitian* were upon account of Chriſtianity. However, they did not laſt long, for as *Euſebius* tells us, he put a Stop to them by an Edict in their favour. *Tertullian* alſo affirms the ſame, and adds, that he recalled thoſe whom he had baniſhed. So that though this is reckon'd by Eccleſiaſtical Writers as the ſecond Perſecution, it doth not appear to have been general, or very ſevere. *Domitian* alſo expelled all the Philoſophers from *Rome* and *Italy*.

l. 67. in Domit.

E. H. L. 3. c 20.

Apol. c. 5.

Suet. in vit Domit. c. 10.

Under *Trajan*, otherwiſe a moſt excellent Prince, began the third Perſecution, in the 14th Year of his Reign. In anſwer to a Letter of *Pliny* he ordered, [r] That *the Chriſtians ſhould not be ſought after, but that if they were accuſed and convicted of being Chriſtians they ſhould be puniſhed, ſuch only excepted as ſhould deny themſelves to be Chriſtians, and give an evident Proof of it by worſhipping his Gods.* Theſe were to receive Pardon upon this their Repentance, how much ſoever they might have been ſuſpected before. From this imperial Reſcript it is abundantly evident, that this Perſecution of the Chriſtians by *Trajan* was purely on the Score of their Religion, becauſe he orders, that whoſoever was accuſed and convicted of being a Chriſtian ſhould be puniſhed with Death, unleſs he renounced his Profeſſion, and ſacrificed to the Gods. All that was required, [s] ſays *Tertullian*, was *meerly to confeſs the Name, without any Cognizance being taken of any Crime.* *Pliny* himſelf, in his Letter to the Emperor, acquits them of every Thing of this Nature, and tells him, [t] That *all they acknowledged*

Apol. c. 2.

[q] Ἐπωνεχθη ὑ αμφοιν εγκλημα αθεοτητος.

[r] Conquirendi non ſunt. Si deferantur & arguantur puniendi ſunt; ita tamen ut qui negaverit ſe Chriſtianum eſſe, idq; reipſa manifeſtum fecerit, id eſt ſupplicando Diis noſtris, quamvis ſuſpectus in præteritum fuit, veniam ex pœnitentia impetret.

[s] Illud ſolum expectatur——confeſſio nominis, non examinatio criminis.

[t] Adfirmabant autem hanc fuiſſe ſummam vel culpæ ſuæ, vel erroris, quod eſſent ſoliti ſtato die ante lucem convenire, carmenq; Chriſto, quaſi Deo, dicere, ſecum invicem; ſeq; ſacramento, non in ſcelus aliquod aſtringere, ſed ne furta, ne latrocinia, ne adulteria committerent.

*was, that their whole Crime or Error consisted in this, that at stated Times they were used to meet before Day-light, and to sing an Hymn to Christ as God, and that they bound themselves by an Oath not to commit any Wickedness, such as Thefts, Robberies, Adulteries, and the like.* And to be assured of the Truth of this, he put two Maids to the Torture, and after examining them, found them guilty of nothing but *a wicked and unreasonable Superstition.* This is the noblest Vindication of the Purity and Innocency of the Christan Assemblies, and abundantly justifies the Account of *Eusebius* from *Hegesippus*, [u] *That the Church continued until these Times as a Virgin pure and uncorrupted*; and proves beyond all Contradiction, that the Persecution raised against them was purely on a religious Account, and not for any Immoralities and Crimes against the Laws, that could be proved against the Christians, though their Enemies slandered them with the vilest, and hereby endeavoured to render them hateful to the whole World. *Why*, says *Tertullian*, *doth a Christian suffer, but for being of their Number? Hath any one proved Incest, or Cruelty upon us, during this long space of Time? No*; *'tis for our Innocence, Probity, Justice, Chastity, Faith, Veracity, and for the living God that we are burnt alive. Pliny* was forced to acquit them from every Thing but *an unreasonable Superstition*, i. e. their resolute Adherence to the Faith of Christ. And yet though Innocent in all other respects, when they were brought before his Tribunal he treated them in this unrighteous Manner: He only asked them, Whether they were Christians? If they confessed it, he asked them the same Question again and again, adding Threatnings to his Questions. If they persevered in their Confession he condemned them to Death, because whatever their Confession might be, he was very sure, *that their Stubbornness and inflexible Obstinacy deserved Punishment.* So that without being convicted of any Crime, but that of Constancy in their Religion, this equitable Heathen, this rational Philosopher, this righteous Judge, condemns them to a cruel Death. And for this Conduct the Emperor, his Master, commends him. For in answer to *Pliny*'s Question, Whether he should go on to punish the Name it self, though chargeable with no Crimes, or the Crimes only which attended the Name? *Trajan* in his Rescript, after commending *Pliny*, orders, That if they were accused and convicted of being Christians they should be put to Death, unless they renounced that Name, and sacrificed to his Gods. *Tertullian* and *Athenagoras*, in their Apologies, very justly inveigh with great Warmth against this imperial Rescript; and indeed, a more shameful Piece of Iniquity was never practised in the darkest Times of Popery. I hope also my Reader will observe, that this was Lay-Persecution, and owed its Rise to the religious Zeal of one of the best of the *Roman* Emperors, and not only to the Contrivances of cruel and designing Priests; that it was justified and carried on by a very famous and learned Philosopher, whose Reason taught him, that what he accounted Superstition, if incurable, was to be punished with Death; and that it was managed with great Fury and Barbarity, Multitudes of Persons in the several Provinces being destroyed merely on account of the Christian Name, by various and exquisite Methods of Cruelty.

E. H. L. 3. c. 32.

Ad Scapul

[u] Ἀεὶ μεχει των τοὶε χεσνων παρθενῳ καθαρα κὴ ἀδιαφορῳ εμεινεν η εκκλησια.

The Reſcript of *Adrian* his Succeſſor to *Minutius Fundanus*, Pro-Conſul of *Aſia*, ſeems to have ſomewhat abated the Fury of this Perſecution, though not wholly to have put an End to it. *Tertullian* tells us, that *Arrius Antoninus*, afterwards Emperor, then Pro-Conſul of *Aſia*, when the Chriſtians came in a Body before his Tribunal, order'd ſome of them to be put to Death; and ſaid to others, [x] *You Wretches! If you will die ye have Precipicies and Halters.* He alſo ſays, That ſeveral other Governors of Provinces puniſhed ſome few Chriſtians, and diſmiſſed the reſt; ſo that the Perſecution was not ſo general, nor ſevere as under *Trajan*. Ad Scap.

Under *Antoninus Pius* the Chriſtians were very cruelly treated in ſome of the Provinces of *Aſia*, which occaſioned *Juſtin Martyr* to write his firſt Apology. It doth not however appear to have been done, either by the Order or Conſent of this Emperor. On the contrary, he wrote Letters to the Cities of *Aſia*, and particularly to thoſe of *Lariſſa*, *Theſſalonica*, *Athens*, and all the *Greeks*, That they ſhould create no new Troubles to them. 'Tis probable, that the *Aſiatick* Cities perſecuted them by virtue of ſome former imperial Edicts which don't appear ever to have been recalled; and, perhaps, with the Connivance of *Antoninus Philoſophus*, the Collegue and Succeſſor of *Pius* in the Empire.

Under him began, as 'tis generally accounted, the fourth Perſecution, upon which *Juſtin Martyr* wrote his ſecond Apology, *Meliton* his, and *Athenagoras* his Legation or Embaſſy for the Chriſtians. *Meliton*, as *Euſebius* relates it, complains of it as *an almoſt unheard of Thing, that pious Men were now perſecuted, and greatly diſtreſſed by new Decrees throughout* Aſia; *that moſt impudent Informers, who were greedy of other Perſons Subſtance, took Occaſion from the imperial Edicts, to plunder others who were intirely innocent.* After this he humbly beſeeches the Emperor, that he would not ſuffer the Chriſtians to be any longer uſed in ſo cruel and unrighteous a Manner. *Juſtin Martyr*, in the Account he gives of the Martyrdom of *Ptolemæus*, aſſures us, that the only Queſtion aſked him was, *Whether he was a Chriſtian?* And upon his confeſſing that he was, he was immediately ordered to the Slaughter. *Lucius* was alſo put to Death for making the ſame Confeſſion, and aſking *Urbicus* the Prefect, why he condemned *Ptolemy*, who was neither convicted of Adultery, Rape, Murther, Theft, Robbery, nor of any other Crime, but only for owning himſelf to be a Chriſtian. From theſe Accounts 'tis abundantly evident, that it was ſtill the very Name of a Chriſtian that was made capital; and that theſe Cruelties were committed by an Emperor who was a great Maſter of Reaſon and Philoſophy, not as Puniſhments upon Offenders againſt the Laws and publick Peace, but purely for the Sake of Religion and Conſcience; committed, to maintain and propagate Idolatry, which is contrary to all the Principles of Reaſon and Philoſophy, and upon Perſons of great Integrity and Virtue in Heart and Life, for their Adherence to the Worſhip of One God, which is the Foundation of all true Religion, and one of the plaineſt and moſt important Articles of it. The Tortures which the Perſecutors of the Chriſtians applied, and the Cruelties they E. H. l. 4. c. 26. Apol. 2da. c. 42. Edit. Thirlb.

[x] Ω δειλοι, ει θελετε αποθνησκειν κριμνες η βρόχους εχετε.

exer-

exerciſed on them, enough, one would think, to have overcome the firmeſt human Reſolution and Patience, could never extort from them a Confeſſion of that Guilt their Enemies would gladly have fixed on them. And yet Innocent as they were in all reſpects, they were treated with the utmoſt Indignity, and deſtroy'd by ſuch Inventions of Cruelty, as were abhorrent to all the Principles of Humanity and Goodneſs. They were, indeed, accuſed of Atheiſm, *i. e.* for not believing in and worſhipping the fictitious Gods of the Heathens. This was the Cry of the Multitude againſt *Polycarp: This is the Doctor of* Aſia, *the Father of the Chriſtians, the Subverter of our Gods, who teaches many that they muſt not perform the ſacred Rites, nor worſhip our Deities.* This was the Reaſon of the tumultuous Cry againſt him, Αιρε τους Αθεους, *Away with theſe Atheiſts.* But would not one have imagined that Reaſon and Philoſophy ſhould have informed the Emperor, that this kind of Atheiſm was a real Virtue, and deſerved to be encouraged and propagated amongſt Mankind? No; Reaſon and Philoſophy here failed him, and his blind Attachment to his Country Gods cauſed him to ſhed much innocent Blood, and to become the Deſtroyer of the Saints of the Living God. At laſt, indeed, the Emperor ſeems to have been ſenſible of the great Injuſtice of this Perſecution, and by an Edict ordered they ſhould be no longer puniſhed for being Chriſtians.

Euſeb. E. H. l. 4. c. 15.

Id. l. 4. c. 13.

I ſhall not trouble my Reader with an Account of this Perſecution as carried on by *Severus*, *Decius*, *Gallus*, *Valerianus*, *Diocleſian*, and others of the *Roman* Emperors, but only obſerve in general, that the moſt exceſſive and outragious Barbarities were made uſe of upon all who would not blaſpheme Chriſt, and offer Incenſe to the imperial Gods: They were publickly whipped; drawn by the Heels through the Streets of Cities, racked till every Bone of their Bodies was disjointed; had their Teeth beat out; their Noſes, Hands and Ears cut off; ſharp pointed Spears ran under their Nails; were tortured with melted Lead thrown on their naked Bodies; had their Eyes dug out; their Limbs cut of; were condemned to the Mines; ground between Stones; ſtoned to Death; burnt alive; thrown Headlong from high Buildings; beheaded; ſmothered in burning Lime-Kilns; ran through the Body with ſharp Spears; deſtroyed with Hunger, Thirſt and Cold; thrown to the wild Beaſts; broiled on Gridirons with ſlow Fires; caſt by Heaps into the Sea; crucified; ſcraped to Death with ſharp Shells; torn in Pieces by the Boughs of Trees; and, in a Word, deſtroy'd by all the various Methods that the moſt diabolical Subtlety and Malice could deviſe.

It muſt indeed be confeſſed, that under the latter Emperors who perſecuted the Chriſtians, the Simplicity and Purity of the Chriſtian Religion were greatly corrupted, and that Ambition, Pride and Luxury, had too generally prevailed both amongſt the Paſtors and People. *Cyprian*, who lived under the *Decian* Perſecution, writing concerning it to the Preſbyters and Deacons, ſays, *It muſt be owned and confeſſed, that this outragious and heavy Calamity, which hath almoſt devoured our Flock, and continues to devour it to this Day, hath hapned to us becauſe of our Sins, ſince we keep not the Way of the Lord, nor obſerve his heavenly Commands given to us for our Salvation. Though our Lord did the Will of his Father,*

Epiſt. xi. Ed. Fell.

*yet*

*yet we do not the Will of the Lord. Our principal Study is to get Money and Eſtates; we follow after Pride; we are at Leiſure for nothing but Emulation and Quarrelling; and have neglected the Simplicity of the Faith. We have renounced this World in Words only, and not in deed. Every one ſtudies to pleaſe himſelf, and to diſpleaſe others.* After *Cyprian*, *Euſebius* the Hiſtorian gives a ſad Account of the Degeneracy of Chriſtians about the Time of the *Dioclesian* Perſecution: He tells us, *That through too much Liberty they grew negligent and ſlothful, envying and reproaching one another; waging, as it were, civil Wars between themſelves, Biſhops quarrelling with Biſhops, and the People divided into Parties: That Hypocriſy and Deceit were grown to the higheſt pitch of Wickedneſs; that they were become ſo inſenſible, as not ſo much as to think of appeaſing the Divine Anger, but that, like Atheiſts, they thought the World deſtitute of any providential Government and Care, and thus added one Crime to another; that the Biſhops themſelves had thrown off all Care of Religion, were perpetually contending with one another, and did nothing but quarrel with, and threaten, and envy, and hate one another; were full of Ambition, and tyrannically uſed their Power.* This was the deplorable State of the Chriſtian Church, which God, as *Euſebius* well obſerves, firſt puniſhed with a gentle Hand; but when they grew harden'd and incurable in their Vices, he was pleaſed to let in the moſt grievous Perſecutions upon them, under *Dioclesian*, which exceeded in Severity and Length all that had been before. E. H. l. 8. c. 1.

From theſe Accounts it evidently appears, that the Chriſtian World alone is not chargeable with the Guilt of Perſecution on the Score of Religion. 'Twas practiſed long before Chriſtianity was in being, and firſt taught the Chriſtians by the perſecuting Heathens. The moſt eminent Philoſophers eſpouſed and vindicated perſecuting Principles; and Emperors, otherwiſe excellent and good, made no ſcruple of deſtroying Multitudes on a religious Account, ſuch as *Trajan*, and *Aurelius Verus*. And I think I may farther add, that the Method of propagating Religion by Cruelty and Death, owes its Invention to *Lay Policy* and Craft; and that how ſervilely ſoever the Prieſthood hath thought fit to imitate them, yet that they have never exceeded them in Rigour and Severity. I can trace out the Footſteps but of very few Prieſts in the foregoing Accounts; nor have I ever heard of more exceſſive Cruelties than thoſe practiſed by *Antiochus*, the *Egyptian* Heretick Eaters, and the *Roman* Emperors. I may farther add on this important Article, that 'tis the Laity who have put it into the Power of the Prieſts to perſecute, and rendered it worth their while to do it; they have done it by the Authority of the civil Laws, as well as employed Lay Hands to execute the Drudgery of it. The Emoluments of Honours and Riches that have been annexed to the favourite Religion and Prieſthood is the Eſtabliſhment of civil Society, whereby Religion hath been made extremely profitable, and the Gains of Godlineſs worth contending for. Had the Laity been more ſparing in their Grants, and their civil Conſtitutions formed upon the generous and equitable Principle of an univerſal Toleration, Perſecution had never been heard of amongſt Men. The Prieſts would have wanted not only the Power but the Inclination to perſecute; ſince few Perſons have ſuch an Attachment either to what they account

Religion

Religion or Truth, as to torment and deſtroy others for the ſake of it, unleſs tempted with the Views of worldly Ambition, Power and Grandure. Theſe Views will have the ſame Influence upon all bad Minds, whether of the Prieſthood or Laity, who, when they are determined at all Hazards to purſue them, will uſe all Methods, right or wrong, to accompliſh and ſecure them.

As therefore the Truth of Hiſtory obliges me to compliment the Laity with the Honour of this excellent Invention, for the Support and Propagation of Religion; and as its Continuance in the World to this Day is owing to the Protection and Authority of their Laws, and to certain political Ends and Purpoſes they have to ſerve thereby, the loading the Prieſthood only, or principally, with the Infamy and Guilt of it, is a mean and groundleſs Scandal; and to be perpetually objecting the Cruelties that have been practiſed by ſome who have called themſelves Chriſtians, on others for Conſcience ſake, as an Argument againſt the Excellency of the Chriſtian Religion, or with a View to prejudice others againſt it, is an Artifice unworthy a Perſon of common Underſtanding and Honeſty. Let all equally ſhare the Guilt, who are equally chargeable with it; and let Principles be judged of by what they are in themſelves, and not by the Abuſes which bad Men may make of them: If any Argument can be drawn from theſe, we may as well argue againſt the Truth and Excellency of Philoſophy, becauſe *Cicero* eſpouſed the Principles of Perſecution, and *Antoninus* the Philoſopher authorized all the Cruelties attending it. But the Queſtion in theſe Caſes is not, what one who calls himſelf a Philoſopher or a Chriſtian doth, but what true Philoſophy and genuine Chriſtianity lead to and teach; and if Perſecution be the natural Effect of either of them, 'tis neither in my Inclination or Intention to defend them. But I paſs from theſe Reflections to the Hiſtory of Chriſtian Perſecutions.

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## SECT. II.

### *Of the Perſecutions amongſt Chriſtians upon Account of Religion.*

IF any Perſon was to judge of the Nature and Spirit of the Chriſtian Religion, by the Spirit and Conduct only of too many who have profeſſed to believe it in all Nations, and almoſt throughout all Ages of the Chriſtian Church, he could ſcarce fail to cenſure it as an Inſtitution unworthy the God of Order and Peace, ſubverſive of the Welfare and Happineſs of Societies, and deſigned to enrich and aggrandize a Few only, at the Expence of the Liberty, Reaſon, Conſciences, Subſtance, and Lives of others. For what Confuſions and Calamities, what Ruins and Deſolations, what Rapines and Murthers, have been introduced into the World, under the *pretended Authority* of Jeſus Chriſt, and ſupporting and propagating Chriſtianity? What is the beſt part of our Eccleſiaſtical Hiſtory better than an Hiſtory of the Pride and Ambition, the Avarice and Tyranny, the Treachery and Cruelty of ſome, and of the Per-

Perſecutions and dreadful Miſeries of others? And what could an unprejudiced Perſon, acquainted with this melancholy Truth, and who had never ſeen the ſacred Records, nor informed himſelf from thence of the genuine Nature of Chriſtianity, think, but that it was one of the worſt Religions in the World, as tending to deſtroy all the natural Sentiments of Humanity and Compaſſion, and inſpiring its Votaries with that *Wiſdom which is from beneath*, and which *is earthly, ſenſual and deviliſh?* If this Charge could be juſtly fixed upon the Religion of Chriſt, it would be unworthy the Regard of every wiſe and good Man, and render it both the Intereſt and Duty of every Nation in the World to reject it.

It muſt be allowed by all who know any Thing of the Progreſs of the Chriſtian Religion, that the firſt Preachers and Propagators of it uſed none of theſe vile Methods to ſupport and ſpread it. Both their Doctrines and Lives deſtroy every Suſpicion of this Nature; and yet in their Times the beginnings of this Spirit appeared: *Diotrephes loved the Prebeminence*, and therefore would not own and receive the inſpired Apoſtle. We alſo read, that there were great Diviſions and Schiſms in the Church of *Corinth*, and that many grievous Diſorders were cauſed therein, by their ranking themſelves under different Leaders and Heads of Parties, one being for *Paul*, another for *Apollos*, and others for *Cephas*. Theſe Animoſities were difficultly healed by the Apoſtolick Authority; but do not however appear to have broken out into mutual Hatreds, to the open Diſgrace of the Chriſtian Name and Profeſſion. The Primitive Chriſtians ſeem for many Years generally to have maintained the warmeſt Affection for each other, and to have diſtinguiſhed themſelves by their mutual Love, the great Characteriſtick of the Diſciples of Chriſt. The Goſpels, and the Epiſtles of the Apoſtles all breath with this amiable Spirit, and abound with Exhortations to cultivate this God-like Diſpoſition. 'Tis reported of St. *John*, that in his extreme old Age at *Epheſus*, being carried into the Church by the Diſciples, upon account of his great Weakneſs, he uſed to ſay nothing elſe every Time he was brought there, but this remarkable Sentence, *Filioli diligite alterutrum, Little Children love one another*. And when ſome of the Brethren were tired with hearing ſo often the ſame Thing, and aſked him, Sir, Why do you always repeat this Sentence; he anſwered with a Spirit worthy an Apoſtle, *Quia preceptum Domini eſt. Et ſi ſolum fiat, ſufficit. 'Tis the Command of the Lord, and the fulfilling of the Law.* Precepts of this kind ſo frequently inculcated, could not but have a very good Influence in keeping alive the Spirit of Charity and mutual Love. And indeed the Primitive Chriſtians were ſo very remarkable for this Temper, that they were taken notice of on this very Account, and recommended even by their Enemies as Patterns of Beneficence and Kindneſs.

Hieron. in Gal. c. 6.

But at length, in the ſecond Century, the Spirit of Pride and Domination appeared publickly, and created great Diſorders and Schiſms amongſt Chriſtians. There had been a Controverſy of ſome ſtanding, on what Day *Eaſter* ſhould be celebrated. The *Aſiatick* Churches thought that it ought to be kept on the ſame Day on which the *Jews* held the Paſſover, the fourteenth Day of *Niſan* their firſt Month, on whatſoever Day of the Week it ſhould fall out. The

Cuſtom of other Churches was different, who kept the Feſtival of *Eaſter* only on that Lord's Day which was next after the fourteenth of the Moon. This Controverſy appears at firſt View to be of no manner of Importance, as there is no Command in the ſacred Writings to keep this Feſtival at all, much leſs ſpecifying the particular Day on which it ſhould be celebrated. *Euſebius* tells us from *Irenæus*, that *Polycarp* Biſhop of *Smyrna* came to *Anicetus* Biſhop of *Rome* on account of this very Controverſy; and that though they differed from one another in this and ſome other leſſer Things, yet they embraced one another with a Kiſs of Peace; *Polycarp* neither perſuading *Anicetus* to conform to his Cuſtom, nor *Anicetus* breaking off Communion with *Polycarp*, for not complying with his. This was a Spirit and Conduct worthy theſe Chriſtian Biſhops: But *Victor* the *Roman* Prelate acted a more haughty and violent part; for after he had received the Letters of the *Aſiatick* Biſhops, giving their Reaſons for their own Practice, he immediately excommunicated all the Churches of *Aſia*, and thoſe of the neighbouring Provinces, for Heterodoxy; and by his Letters declared all the Brethren unworthy of Communion. This Conduct was greatly diſpleaſing to ſome other of the Biſhops, who exhorted him to mind the Things that made for Peace, Unity, and Chriſtian Love. *Irenæus* eſpecially, in the Name of all his Brethren, the Biſhops of *France*, blamed him for thus cenſuring whole Churches of Chriſt, and puts him in mind of the peaceable Spirit of ſeveral of his Predeceſſors, who did not break off Communion with their Brethren upon account of ſuch leſſer Differences as theſe. Indeed this Action of Pope *Victor* was a very inſolent Abuſe of Excommunication; and is an abundant Proof that the Simplicity of the Chriſtian Faith was greatly departed from, in that Heterodoxy and Orthodoxy were made to depend on Conformity or Non-Conformity to the Modes and Circumſtances of certain Things, when there was no Shadow of any Order for the Things themſelves in the ſacred Writings; and that the Luſt of Power, and the Spirit of Pride, had too much poſſeſſed ſome of the Biſhops of the Chriſtian Church. The ſame *Victor* alſo excommunicated one *Theodoſius* for being unſound in the Doctrine of the Trinity.

Euſeb. l. 5. c. 24.

Euſeb. l. 5. c. 28.

'Tis no wonder that after this we ſhould find Matters growing worſe and worſe. As the Primitive Chriſtians had any intervals from Perſecution they became more profligate in their Morals, and more quarrelſome in their Tempers. As the Revenues of the ſeveral Biſhops increaſed they grew more Ambitious, leſs capable of Contradiction, more haughty and arrogant in their Behaviour, more envious and revengeful in every part of their Conduct, and more regardleſs of the Simplicity and Gravity of their Profeſſion and Character. The Accounts I have before given of them from *Cyprian* and *Euſebius* before the *Dioclefian* Perſecution, to which I might add the later one of St. *Jerom*, are very melancholy and affecting, and ſhew how vaſtly they were degenerated from the Piety and peaceable Spirit of many of their Predeceſſors, and how ready they were to enter into the worſt Meaſures of Perſecution, could they but have got the Opportunity and Power.

Epiſt. 13.

Under

Under *Conſtantine* the Emperor, when they were reſtored to full Liberty, their Churches rebuilt, and the imperial Edicts every where publiſhed in their Favour, they immediately began to diſcover what Spirit they were of; as ſoon as ever they had the Temptations of Honour and large Revenues before them. *Conſtantine*'s Letters are full Proof of the Jealouſies and Animoſities that reigned amongſt them. In his Letters to *Miltiades* Biſhop of *Rome* he tells him, that he had been informed that *Cæcilianus* Biſhop of *Carthage* had been accuſed of many Crimes by ſome of his Collegues, Biſhops of *Africa*, and that it was very grievous to him to ſee ſo great a Number of People divided into Parties, and the Biſhops diſagreeing amongſt themſelves. And though the Emperor was willing to reconcile them by a friendly Reference of the Controverſy to *Miltiades* and others, yet in ſpite of all his Endeavours they maintained their Quarrels, and factious Oppoſition to each other, and through ſecret Grudges and Hatred would not acquieſce in the Sentence of thoſe he had appointed to determine the Affair. So that as he complained to *Chreſtus* Biſhop of *Syracuſe*, thoſe who ought to have maintained a brotherly Affection and peaceable Diſpoſition towards each other, did in a ſcandalous and deteſtible Manner ſeparate from one another, and gave Occaſion to the common Enemies of Chriſtianity to deride and ſcoff at them. For this Reaſon he ſummoned a Council to meet at *Arles* in *France*, that after an impartial hearing of the ſeveral Parties, this Controverſy which had been carried on for a long while in a very intemperate Manner, might be brought to a Friendly and Chriſtian Compromiſe. *Euſebius* farther adds, that he not only called together Councils in the ſeveral Provinces upon account of the Quarrels that aroſe amongſt the Biſhops, but that he himſelf was preſent in them, and did all he could to promote Peace amongſt them. However, all he could do had but little effect; and it muſt be owned that he himſelf greatly contributed to prevent it, by his large Endowment of Churches, by the Riches and Honours which he conferred on the Biſhops, and eſpecially by his authorizing them to ſit as Judges upon the Conſciences and Faith of others, by which he confirmed them in a worldly Spirit, the Spirit of Domination, Ambition, Pride and Avarice, which hath in all Ages proved fatal to the Peace and true Intereſt of the Chriſtian Church.

E. H. l. 10. c. 5. Ibid. De Vit. Con. l. 1. c. 44.

In the firſt Edict, given us at large by *Euſebius*, publiſhed in favour of the Chriſtians, he acted the part of a wiſe, good, and impartial Governor, in which, without mentioning any particular Sects, he gave full liberty to all Chriſtians, [y] and to all other Perſons whatſoever, of following that Religion which they thought beſt. But this Liberty was of no long Duration, and ſoon abridged in reference both to the Chriſtians and Heathens. For although in this firſt mentioned Edict he orders the Churches and Effects of the Chriſtians in general to be reſtored to them, yet in one immediately following he confines this Grant to the Catholick Church. After this, in a Letter to *Miltiades* Biſhop of *Rome*, complaining of the Differences fomented by the

E. H. l. 10. c. 5.

[y] Ακολουθως τη ησυχια των ημετερων καιρων γινεσθαι φασκειν εξειν, οπως εξουσιαν εκας ῳ εχη τα αριστα κ) τημελεν οποιον δ' αν βουληται θειον.

*African* Biſhops, he lets him know, that he had ſo great a Reverence for the Catholick Church, that he would not have him ſuffer in any Place any Schiſm or Difference whatſoever. In another to *Cæcilianus* Biſhop of *Carthage*, after giving him to underſtand, that he had ordered *Urſus* to pay his Reverence three Thouſand Pieces; and *Heraclides* to diſburſe to him whatever other Sums his Reverence ſhould have occaſion for, he orders him to complain of all Perſons who ſhould go on to corrupt the People of the moſt holy Catholick Church by any evil and falſe Doctrine, to *Anulinus* the Pro-Conſul, and *Patricius*, to whom he had given Inſtructions on this Affair, that if they perſevered in ſuch Madneſs they might be puniſhed according to his Orders. 'Tis eaſy to gueſs what the Catholick Faith and Church meant, *viz.* that which was approved by the Biſhops, who had the greateſt Intereſt in his Favour.

H. H. l. 10. c. 6.

As to the Heathens, ſoon after the Settlement of the whole Empire under his Government, he ſent into all the Provinces Chriſtian Preſidents, forbidding them, and all other Officers of ſuperior Dignity to ſacrifice, and confining to ſuch of them as were Chriſtians the Honours due to their Characters and Stations; hereby endeavouring to ſupport the Kingdom of Chriſt, which is not of this World, by Motives purely worldly, *viz.* the Proſpects of temporal Preferments and Honours; and notwithſtanding the excellent Law he had before publiſhed, That every one ſhould have free Exerciſe of his own Religion, and worſhip ſuch Gods as they thought proper, he ſoon after prohibited the old Religion, *viz.* the Worſhip of Idols in Cities and Country; commanding that no Statues of the Gods ſhould be erected, nor any Sacrifices offered upon their Altars. And yet notwithſtanding this Abridgment of the Liberty of Religion, he declares in his Letters afterwards, written to all the ſeveral Governors of his Provinces, that though he wiſhed the Ceremonies of the Temples, and the Power of Darkneſs were wholly removed, he would force none, but that every one ſhould have the Liberty of acting in Religion as he pleaſed.

De vit. Conſt. l. 2. c. 44.

Ibid. c. 45

Ibid. c. 56.

'Tis not to be wonder'd at, that the Perſons who adviſed theſe Edicts to ſuppreſs the ancient Religion of the Heathens, ſhould be againſt tolerating any other amongſt themſelves, who ſhould preſume to differ from them in any Articles of the Chriſtian Religion they had eſpouſed; becauſe if erroneous and falſe Opinions in Religion, as ſuch, are to be prohibited or puniſhed by the Civil Power, there is equal Reaſon for perſecuting a Chriſtian, whoſe Belief is wrong, and whoſe Practice is erroneous, as for perſecuting Perſons of any other falſe Religion whatſoever; and the ſame Temper and Principles that lead to the latter, will alſo lead to and juſtify the former. And as the Civil Magiſtrate, under the Direction of his Prieſts, muſt always judge for himſelf what is Truth and Error in Religion, his Laws for ſupporting the one, and puniſhing the other, muſt always be in Conſequence of this Judgment. And therefore if *Conſtantine* and his Biſhops were right in prohibiting Heatheniſm by Civil Laws, becauſe they believed it erroneous and falſe, *Dioceſian* and *Licinius*, and their Prieſts, were equally right in prohibiting Chriſtianity by Civil Laws, becauſe they believed it not only erroneous and falſe, but the higheſt Impiety and Blaſphemy againſt their Gods, and even a Proof of Atheiſm it ſelf. And

by the ſame Rule every Chriſtian, that hath Power, is in the right to perſecute his Chriſtian Brother, whenever he believes him to be in the wrong. And in truth, they ſeem generally to have acted upon this Principle; for which Party ſoever of them could get uppermoſt was againſt all Toleration and Liberty for thoſe who differed from them, and endeavoured by all Methods to oppreſs and deſtroy them.

The Sentiments of the Primitive Chriſtians, at leaſt for near three Centuries, in reference to the Deity of our Lord Jeſus Chriſt, were, generally ſpeaking, pretty uniform; nor do there appear to have been any publick Quarrels about this Article of the Chriſtian Faith. Some few Perſons indeed, differed from the commonly received Opinion. One *Theodotus* a Tanner, under the Reign of *Commodus*, aſſerted Chriſt was a meer Man, and on this Account was excommunicated, with other of his Followers, by Pope *Victor*, who appears to have been very liberal in his Cenſures againſt others. *Artemon* propagated the ſame erroneous Opinion under *Severus*. *Beryllus* alſo, an *Arabian* Biſhop under *Gordian*, taught, That our Saviour had no proper perſonal Subſiſtence before his becoming Man, nor any proper Godhead of his own, but only the Father's Godhead reſiding in him; but afterwards alter'd his Opinion, being convinced of his Error by the Arguments of *Origen*. *Sabellius* alſo propagated much the ſame Doctrine, denying alſo the real Perſonality of the Holy Ghoſt. After him *Paulus Samoſatenus*, Biſhop of *Antioch*, and many of his Clergy, publickly avowed the ſame Principles concerning Chriſt, and were excommunicated by a large Council of Biſhops. But though theſe Excommunications upon account of Differences in Opinion, prove that the Biſhops had ſet up for Judges of the Faith, and aſſumed a Power and Dominion over the Conſciences of others, yet as they had no civil Effects, and were not enforced by any penal Laws, they were not attended with any publick Confuſions, to the open Reproach of the Chriſtian Church.

Euſeb. E. H. l. 5. c. 28.

Ibid. l. 6. c. 33.

l. 7. c. 27, 28, 29.

But when once Chriſtianity was ſettled by the Laws of the Empire, and the Biſhops free to act as they pleaſed, without any fear of publick Enemies to diſturb and oppreſs them, they fell into more ſhameful and violent Quarrels, upon account of their Differences concerning the Nature and Dignity of Chriſt. The Controverſy firſt began between *Alexander* Biſhop of *Alexandria*, and *Arius* one of his Preſbyters, and ſoon ſpread it ſelf into other Churches, enflaming Biſhops againſt Biſhops, who out of a Pretence to ſupport Divine Truth excited Tumults, and entertained irreconcilable Hatreds towards one another. Theſe Diviſions of the Prelates ſet the Chriſtian People together by the Ears, as they happened to favour their different Leaders and Heads of Parties; and the Diſpute was managed with ſuch Violence, that it ſoon reached the whole Chriſtian World, and gave Occaſion to the Heathens in ſeveral Places to ridicule the Chriſtian Religion upon their publick Theatres. How different were the Tempers of the Biſhops and Clergy of theſe Times from the excellent Spirit of *Dionyſius* Biſhop of *Alexandria*, in the Reign of *Decius*, who writing to *Novatus* upon account of the Diſturbance he had raiſed in the Church of *Rome*, by the Severity of his Doctrine, in not admitting thoſe who lapſed into Idolatry

De vit. Conſt. l. 2. c. 61. Soc. E. H. l. 1. c. 6.

Euſeb. l. 6. c. 45.

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in Times of Perſecution ever more to Communion, though they gave all the Marks of a true Repentance and Converſion, tells him, [z] *One ought to ſuffer any Thing in the World rather than divide the Church of God.*

Soc. E. H. l. 1. c. 5. The Occaſion of the *Arian* Controverſy was this. *Alexander* Biſhop of *Alexandria* ſpeaking in a very warm Manner concerning the Trinity before the Preſbyters and Clergy of his Church, affirmed there was *an Unity in the Trinity*, and particularly that *the Son was Co-eternal and Conſubſtantial, and of the ſame Dignity with the Father. Arius*, one of his Preſbyters, thought that the Biſhop, by this Doctrine, was introducing the *Sabellian* Hereſy, and therefore oppoſed him, arguing in this manner: [a] *If the Father begot the Son, he who was begotten muſt have a beginning of his Exiſtence; and from hence, ſays he, 'tis manifeſt, that there was a Time when he was not; the neceſſary Conſequence of which* E. H. l. 1. c. 15. *he affirmed was this, That he had his Subſiſtence out of Things not exiſting. Sozomen* adds farther, that he aſſerted, [b] *That by virtue of his Free-will the Son was capable of Vice as well as Virtue; and that he was the mere Creature and Work of God.* The Biſhop being greatly diſturbed by theſe Expreſſions of *Arius*, upon account of the Novelty of them, and not able to bear ſuch an Oppoſition from one of his Preſbyters to his own Principles, commanded *Arius* to forbear the Uſe of them, and to embrace the Doctrine of the Conſubſtantiality and Co-eternity of the Father and the Son. But *Arius* was not thus to be convinced, eſpecially as a great Number of the Biſhops and Clergy were of his Opinion, and ſupported him; and for this Reaſon himſelf and the Clergy of his Party were excommunicated, and expelled the Church, in a Council of near an Hundred of the *Egyptian* and *Lybian* Biſhops met together for that purpoſe, by the Biſhop, who in this caſe was both Party and Judge, the Enemy and Condemner of *Arius*. Upon this Treatment *Arius* and his Friends ſent circular Letters to the ſeveral Biſhops of the Church, giving them an Account of their Faith, and deſiring that if they found their Sentiments orthodox, they would write to *Alexander* in their Favour; if they judged them wrong, they would give them Inſtructions how to believe. Thus was the Diſpute carried into the Chriſtian Church, and the Biſhops being divided in their Opinions, ſome of them wrote to *Alexander* not to admit *Arius* and his Party into Communion without renouncing their Principles, whilſt others of them perſwaded him to act a different part. The Biſhop not only followed the Advice of the former, but wrote Letters to the ſeveral Biſhops not to communicate with any of them, nor to receive them if Soc. E. H. l. 1. c. 6. they ſhould come to them, nor to credit *Euſebius*, nor any other Perſon that ſhould write to them in their behalf, but to avoid them as the Enemies of God, and the Corrupters of the Souls of Men; and not ſo much as to ſalute them, or Soz. l. 1. c. 15. to have any Communion with them in their Crimes. *Euſebius*, who was Biſhop of *Nicomedia*, ſent ſeveral Letters to *Alexander*, exhorting him to let the Controverſy peaceably drop, and to receive *Arius* into Communion; but finding

[z] Εδει μηδ' ὁτιοῦν παθειν, υπερ του μη διασπασαι την εκκλησιαν του Θεου.

[a] Ει ο πατηρ εγεννησε τον υιον, αρχην υπαρξεως εχει ο γεννηθεις. Και εκ τουτου δηλον, οτι ην ὁτε ουκ ην ο υἱος· ακολουθει τε εξ αναγκης εξ ου και ουτως εχειν αυτον την υποστασιν.

[b] Και αυτεξουσιον ειναι κακιας και αρετης δεκτικον υπαρχειν, και κτισμα και ποιημα, και αλλα πολλα.

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him inflexible to all his repeated Entreaties, he got a Synod to meet in *Bithynia*, from whence they wrote Letters to the other Biſhops, to engage them to receive the *Arians* to their Communion, and to perſuade *Alexander* to do the ſame. But all their Endeavours proved ineffectual, and by theſe unfriendly Dealings the Parties grew more enraged againſt each other, and the Quarrel became incurable.

'Tis, I confeſs, not a little ſurprizing, that the whole Chriſtian World ſhould be put into ſuch a Flame upon account of a Diſpute of ſo very abſtruſe and metaphyſical a Nature, as this really was in the Courſe and Management of it. *Alexander*'s Doctrine, as *Arius* repreſents it in his Letter to *Euſebius* of *Nicomedia*, was this, [c] *God is always, and the Son always. The ſame Time the Father, the ſame Time the Son. The Son co-exiſts with God unbegottenly, being ever begotten, being unbegottenly begotten. That God was not before the Son, no not in Conception, or the leaſt Point of Time, he being ever God, ever a Son. For the Son is out of God himſelf.* Nothing could be more inexcuſable, than the tearing the Churches in pieces upon account of ſuch high and ſubtle Points as theſe, except the Conduct of *Arius*, who on the other hand aſſerted, as *Alexander*, his Biſhop, in his Letter to the Biſhop of *Conſtantinople*, tells us, [d] *That there was a Time when there was no Son of God, and that he who before was not, afterwards exiſted, being made, when ſoever he was made, juſt as any Man whatſoever, and that therefore he was of a mutable Nature, and equally receptive of Vice and Virtue, and other Things of the like kind.* If theſe were the Things taught, and publickly avowed by *Alexander* and *Arius*, as each repreſents the other's Principles, I perſwade my ſelf, that every ſober Man will think they both deſerved Cenſure, for thus leaving the plain Account of Scripture, introducing Terms of their own Invention into a Doctrine of pure Revelation, and at laſt cenſuring and writing one againſt another, and dividing the whole Church of Chriſt upon account of them.

Theod. E. H. l. 1. c. 5.

Id. l. 1. c. 4.

But 'tis no uncommon Thing for warm Diſputants to miſtake and miſrepreſent each other; and that this was the Caſe in the preſent Controverſy, is, I think, evident beyond Diſpute; *Alexander* and *Arius* deſcribing each other's Opinions, not as they held them themſelves, but according to the Conſequences each imagined to follow from them. Thus *Alexander* affirms in the aforementioned Letter, that *the Father ever was*, and thence infers what he thinks neceſſarily follows, that *the Son*, upon whoſe account he is called a Father, *muſt have ever been*, and yet expreſly aſſerts the Son to be begotten, and that the Father alone is unbegotten. When *Arius* repreſents theſe Things to his Friend *Euſebius*, 'tis according to what he accounted the neceſſary Conſequences of them, and not as they were really maintained by *Alexander*; and becauſe

[c] Αει ο Θεος, αει ο υς· αμα παλης, αμα υς. συνυπαρχει αγεννητως ο υς τω θεω, αει γεννης ων, αγεννητοσεννης εςιν· ατε επινοια ουδε ατομω τινι προαγει ο Θεος τ υν. αει Θεος, αει υς. εξ αυτ εςι τ Θεο ο υς.

[d] Ην ποτε ότε ουκ ην ο υς τ Θεου, κ γεγονεν υστερον ο προτερον μη υπαρχων, τουτ γενομενος, ατε κ ποτε γεγονεν, οτι κ πας ειναι πεφυκεν ανθρωπος· οις ακολουθως κ φασιν αυτον τρεπτην ειναι φυσεως, αρετης τε κ κακιας επιδεκτικον.

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he apprehended that the abſolute Co-eternity of the Son with the Father was inconſiſtent with the Son's being begotten of him, he ſays that *Alexander* held he was *unbegottenly begotten*, or begotten and not begotten, thus making his own Conſequences paſs for the Biſhop's Sentiments. On the other hand, *Arius* aſſerted, *The Son hath a beginning, and is from none of the Things that do exiſt*; not meaning that he was not from Everlaſting, before ever the Creation had a Being, or that he was created like other Beings abſolutely out of nothing, or that like the reſt of the Creation he was mutable in his Nature. *Arius* expreſly declares the contrary in his Letter to *Euſebius*, his intimate Friend, from whom he had no reaſon to conceal his moſt ſecret Sentiments, and ſays, [e] *This is what we have and do profeſs, That the Son is not unbegotten, nor in any manner a part of the unbegotten God, nor from any part of the material World, but that by the Will and Council of the Father he exiſted before all Times and Ages, perfect God, the only begotten and unchangeable, and that therefore before he was begotten or formed he was not*, i. e. as he explains himſelf, [f] *There never was a Time when he was unbegotten.* His affirming therefore that the Son had a Beginning, was only ſaying, that he was in the whole of his Exiſtence from the Father, as the Origin and Fountain of his Being and Deity, and not any Denial of his being from before all Times and Ages; and his ſaying that he was no part of God, nor derived from Things that do exiſt, was not denying his Generation from God before all Ages, or his being compleatly God himſelf, or his being produced after a more excellent Manner than the Creatures, but that as he was always from God, ſo he was different both from him, and all other Beings, and a Sort of middle Nature between God and his Creatures; whoſe beginning, as *Euſebius* of *Nicomedia* writes to *Paulinus* Biſhop of *Tyre*, was [g] *not only inexplicable by Words, but unconceivable by the Underſtanding of Men, and by all other Beings ſuperior to Men, and who was formed after the moſt perfect Likeneſs to the Nature and Power of God.* This is the ſtrongeſt Evidence that neither *Arius* nor his firſt Friends put the Son upon a Level with the Creatures, but that they were in many reſpects of the ſame Sentiments with thoſe who condemned them. Thus *Alexander* declares the Son to be [h] *before all Ages. Arius* expreſly ſays the ſame, that he was [i] *before all Times and Ages. Alexander* ſays, the *Father only is unbegotten. Arius, That there never was a Time when the Son was not begotten. Alexander*, that *the Subſiſtence of the Son is inexplicable even by Angels. Euſebius*, that *his beginning is inconceivable and inexplicable by Men and Angels. Alexander*, that *the Father was always a Father becauſe of the Son. Arius*, that the Son was not before he was begotten, *i. e. That he was from before all Ages the begotten Son of God.*

Theod. E. H. l. 1. c. 5.

Id. Ibid. c. 6.

[e] Οτι ο ΘΣ ουκ εστιν αγεννητος, ουδε μερος αγεννητου καθ' ουδενα τροπον, ουδε εξ υποκειμενου τινος. αλλ' οτι θεληματι και βουλη υπεστη προ χρονων και προ αιωνων, πληρης Θεος, μονογενης, αναλλοιωτος και προ του γεννηθηναι——ουκ ην.

[f] Αγεννητος δε ουκ ην.

[g] Προς τελειαν ομοιοτητα διαθεσεως τε και δυναμεως του ποιητικου γεγονοτος· ου την αρχην ου λογω μονον αδιηγητον, αλλα και εννοια ουκ ανθρωπων μονον αλλα και των υπερ ανθρωπους παντων ειναι ακαταληπτον πεπιστευκαμεν.

[h] Προαιωνιος.

[i] Προ χρονων και προ αιωνων.

*Arius*

*Arius* again, [k] *That the Son was no part of God, nor from any Things that did exist.* Theod. *Alexander*, That *the only begotten Nature was* [l] *a middle Nature, between the unbegotten Father, and the Things created by him out of nothing.* And yet notwithstanding all these Things, when *Alexander* gives an Account of the Principles of *Arius* to the Bishops, he represents them in all the Consequences he thought fit to draw from them, and charges him with holding, that the Son was made like every other Creature absolutely out of nothing, and that therefore his Nature was mutable, and susceptive equally of Virtue and Vice; with many other invidious and unscriptural Doctrines, which *Arius* plainly appears not to have maintained or taught. E. H. l. 1. c. 4.

But as 'tis the common Fate of religious Disputes to be managed with an intemperate Heat, 'tis no wonder the Disputants should mistake each other, or in their Warmth charge one another with Consequences which either they do not see, or expressly deny. Whilst this is the Case the Controversy can never be fairly managed, nor brought to a friendly and peaceable Issue. Many Methods were tried, but all in vain, to bring *Alexander* and *Arius* to a Reconciliation, the Emperor himself condescending to become a Mediator between them.

The first Step he took to heal this Breach was right and prudent: He sent his Letters to *Alexandria*, exhorting *Alexander* and *Arius* to lay aside their Differences, and become reconciled to each other. He tells them, That *after he had diligently examined the Rise and Progress of this Affair, he found the Occasion of the Difference to be very trifling, and not worthy such furious Contentions; and that therefore he promised himself that his Mediation between them for Peace would have the desired Effect.* He tells *Alexander*, *That he required from his Presbyters a Declaration of their Sentiments concerning a silly, empty Question.* And *Arius*, *That he had imprudently uttered what he should not have even thought of, or what at least he ought to have kept secret in his own Breast; and that therefore Questions about such Things should not have been asked; or if they had, should not have been answered; that they proceeded from an idle Itch of Disputation, and were in themselves of so high and difficult a Nature, as that they could not be exactly comprehended, or suitably explained*; and that to insist on such Points too much before the People, could produce no other Effect, than to make some of them talk Blasphemy, and others turn Schismaticks; and that therefore *as they did not contend about any essential Doctrine of the Gospel, nor introduce any new Heresy concerning the Worship of God*, they should again communicate with each other; and finally, that notwithstanding their Sentiments in these unnecessary and trifling Matters were different from each other, they should acknowledge one another as Brethren, and, laying aside their Hatreds, return to a firmer Friendship and Affection than before. Euseb. Vit. Const. l. 1. c. 63, &c.

But religious Hatreds are not so easily removed, and the Ecclesiastical Combatants were too warmly engaged to follow this kind and wholesome Ad-

[k] Οτι ὁ μερος Θεου εστιν, ουδε εξ υποκειμενων τινων.
[l] Μεσιτευουσα παντος αγεννητου και των γινομενων υπ' αυτου εξ ουκ οντων.

Euſeb. Vit. Conſt. l. 3. c. 4, 5. vice. The Biſhops of each ſide had already intereſted the People in their Quarrel, and heated them into ſuch a Rage that they attacked and fought with, wounded and deſtroyed each other, and acted with ſuch Madneſs as to commit the greateſt Impieties for the ſake of Orthodoxy; and arrived to that pitch of Inſolence, as to offer great Indignities to the imperial Images. The old Controverſy about the Time of celebrating *Eaſter* being now revived, added Fuel to the Flames, and render'd their Animoſities too furious to be appeaſed.

*The firſt general Council,* A. C. 325. Id. Ibid. c. 6. Soz. E. H. l. 1. c. 17. *Conſtantine* being greatly diſturbed upon this Account, ſent Letters to the Biſhops of the ſeveral Provinces of the Empire to aſſemble together at *Nice* in *Bythinia*, and accordingly great Numbers of them came, *A. C.* 325. ſome through hopes of Profit, and others out of Curioſity to ſee ſuch a Miracle of an Emperor, and many of them, as *Sozomen* informs us, to negotiate their own private Affairs, and to redreſs their Grievances, by accuſing thoſe who had injured them. The Number of them was three Hundred and eighteen, beſides vaſt Numbers of Preſbyters, Deacons, Acolythiſts, and others. The Eccleſiaſtical Hiſtorians tell us, that in this vaſt Collection of Biſhops ſome were remarkable for their Gravity, Patience under Sufferings, Modeſty, Integrity, Eloquence, and the like Virtues; but yet they all agree that there were others of very different Characters. *Euſebius* tells us, ſome came to the Council with worldly Views of Gain; and *Theodorit*, that others were ſubtle and crafty, and of a quarrelling, malicious Temper, and actuated with a Spirit of Revenge. And indeed, this appeared immediately upon opening the Council; for after the Emperor, who honoured this Aſſembly with his Preſence, had exhorted them to lay aſide all their Differences, and to enter into Meaſures of Union and Peace, inſtead of applying themſelves to the Work for which they were convened, they began ſhamefully to accuſe each other before him, and raiſed great Diſturbances in the Council by their mutual Charges and Reproaches.

Theod. E. H. l. 1. c. 7, 11.

Soc. E. H. l. 1. c. 9. *Sabinus*, alſo, ſaith they were generally a Set of very ignorant Men, and deſtitute of Knowledge and Learning. But as *Sabinus* was an Heretick of the *Macedonian* Sect, probably his Teſtimony may be thought exceptionable; and even ſuppoſing his Charge to be true, yet *Socrates* brings them off by telling us, that they were enlighten'd by God, and the Grace of his Holy Spirit, and ſo could not poſſibly err from the Truth. But as ſome Men may poſſibly queſtion the Truth of their Inſpiration, ſo I think it appears but too plain, that an Aſſembly of Men, who met together with ſuch different Views, were ſo greatly prejudiced and inflamed againſt each other, and are allowed, many of them, to be ignorant, till they received miraculous Illuminations from God, did not ſeem very likely to heal the Differences of the Church, or to examine with that Wiſdom, Care and Impartiality, or to enter into thoſe Meaſures of Condeſcenſion and Forbearance that were neceſſary to lay a ſolid Foundation for Peace and Unity.

However, the Emperor brought them at laſt to ſome Temper, ſo that they fell in good earneſt to Creed-making, and drew up, and ſubſcribed that, which from the Place where they were aſſembled was called the *Nicene*. By the Ac-

counts of the Tranſactions in this Aſſembly, given by *Athanaſius* himſelf, in his Letter to the *African* Biſhops, it appears, that they were determined to inſert into the Creed ſuch Words as were moſt obnoxious to the Arians, and thus to force them to a publick Separation from the Church. For when they reſolved to condemn ſome Expreſſions which the Arians were charged with making uſe of, ſuch as, *The Son was a Creature; there was a Time when he was not*, and the like; and to eſtabliſh the Uſe of others in their room, ſuch as, *The Son was the only begotten of God by Nature, the Word, the Power, the only Wiſdom of the Father, and true God*; the Arians immediately agreed to it: Upon this the Fathers made an Alteration, and explained the Words, *From God*, by the Son's *being of the Subſtance of God*. And when the Arians conſented alſo to this, the Biſhops farther added, to render the Creed more exceptionable, that *he was Conſubſtantial, or of the ſame Subſtance with the Father*. And when the Arians objected, that this Expreſſion was wholly unſcriptural, the Orthodox urged, that though it was ſo, yet the Biſhops that lived an Hundred and thirty Years before them, made uſe of it. At laſt however all the Council ſubſcribed the Creed thus altered and amended, except five Biſhops, who were diſpleaſed with the Word *Conſubſtantial*, and made many Objections againſt it. Theod. E. H. l. 1. c. 8.

*Euſebius*, Biſhop of *Cæſarea*, was alſo in doubt for a conſiderable Time, whether he ſhould ſet his Hand to it, and refuſed to do it, till the exceptionable Words had been fully debated amongſt them, and he had obtained an Explication of them ſuitable to his own Sentiments. Thus when 'twas aſſerted by the Creed, that *the Son was of the Father's Subſtance*, the negative Explication agreed to by the Biſhops was exactly the ſame Thing that was aſſerted by *Arius*, viz. that [m] *He was not a part of the Father's Subſtance*. Again, as the Words, *begotten, not made*, were applied to the Son, they determined the Meaning to be, that *the Son was produced after a different Manner than the Creatures which he made*, and was therefore of a more excellent Nature than any of the Creatures, and that the Manner of his Generation could not be underſtood. This was the very Doctrine of *Arius*, and *Euſebius* of *Nicomedia*, who declar'd, that *as the Son was no part of God, ſo neither was he from any Thing created, and that the Manner of his Generation was not to be deſcribed*. And as to the Word *Conſubſtantial* to the Father, it was agreed by the Council to mean no more, than that *the Son had no Likeneſs with any created Beings, but was in all Things like to him that begot him, and that he was not from any other Hypoſtaſis or Subſtance but the Father's*. Of this Sentiment alſo were *Arius*, and *Euſebius* his Friend, who maintained not only his being of a more excellent Original than the Creatures, but that he was formed *of an immutable and ineffable Subſtance and Nature, and after the moſt perfect Likeneſs of the Nature and Power of him that formed him*. Theſe were the Explications of theſe Terms agreed to by the Council, upon which *Euſebius* of *Cæſarea* ſubſcribed them in the Creed; and though ſome few of the Arian Biſhops refuſed to do it, yet it doth not appear to me, that it proceeded from their not agreeing in the Senſe of theſe Explications, but becauſe they apprehended that Theod. l. 1. c. 12.

[m] Μερ☉ τῆς ϑεἱας αὐσ.

the Words were very improper, and implied a great deal more than was pretended to be meant by them; and especially because an Anathema was added upon all who should presume not to believe in them and use them. *Eusebius* of *Cæsarea* gives a very extraordinary Reason for his subscribing this Anathema, *viz.* because *it forbids the Use of unscriptural Words, the introducing which he* assigns *as the Occasion of all the Differences and Disturbances which had troubled the Church.* But had he been consistent with himself, he ought never to have subscribed this Creed, for the very Reason he alledges why he did it; because the Anathema forbids only the unscriptural Words of *Arius*, such as, *He was made out of nothing*; *there was a Time when he was not*, and the like; but allowed and made sacred the unscriptural Expressions of the Orthodox, *viz. Of the Father's Substance*, and *Consubstantial*, and cut off from Christian Communion those who would not agree to them, though they were highly exceptionable to the Arian Party, and afterwards proved the Occasions of many cruel Persecutions and Evils.

In this publick Manner did the Bishops assert a Dominion over the Faith and Consciences of others, and assume a Power, not only to dictate to them what they should believe, but even to anathematize, and expel from the Christian Church, all who refused to submit to their Decisions, and own their Au-
Soc. l. 1. c. 9. thority. For after they had carried their Creed, they proceeded to excommunicate *Arius* and his Followers, and banished *Arius* from *Alexandria*. They also condemned his Explication of his own Doctrine, and a certain Book, called *Thalia*, which he had written concerning it. After this they sent Letters to *Alexandria*, and to the Brethren in *Egypt*, *Lybia*, and *Pentapolis*, to acquaint them with their Decrees, and to inform them, that the Holy Synod had condemned the Opinions of *Arius*, and were so zealous in this Affair, that they had not patience so much as to hear his ungodly Doctrine and blasphemous Words, and that they had fully determined the Time for the Celebration of *Easter*. Finally, they exhort them to rejoice for the good Deeds they had done, and for that they had cut off all manner of Heresy, and to pray that their right Transactions might be established by Almighty God and our Lord
Euseb. de Vit. Const. l. 3. c. 20 Jesus Christ. When these Things were over, *Constantine* splendidly treated the Bishops, filled their Pockets, and sent them honourably home; advising them at parting to maintain Peace amongst themselves, and that none of them should envy another who might excel the rest in Wisdom and Eloquence, and that such should not carry themselves haughtily towards their Inferiors, but condescend to, and bear with their Weakness. A plain Demonstration that he saw into their Tempers, and was no Stranger to the Pride and Haughtiness that influenced some, and the Envy and Hatred that actuated others. After he had thus dismissed them he sent several Letters, recommending and enjoyning an universal Conformity to the Councils Decrees both in Ceremony and Doctrine,
Soc. E. H. l. 1. c. 9. using, among other Things, this Argument for it, *That what they had decreed was the Will of God, and that the Agreement of so great a Number of such Bishops was by Inspiration of the Holy Ghost.*

'Tis

'Tis natural here to obſerve, that the Anathema's and Depoſitions agreed on by this Council, and confirmed by the imperial Authority, were the beginning of all the Perſecutions that afterwards raged againſt each Party in their Turns. As the Civil Power had now taken part in the Controverſies about Religion, by authoriſing the Dominion of the Biſhops over the Conſciences of others, enforcing their Eccleſiaſtical Conſtitutions, and commanding the univerſal Reception of that Faith they had decreed to be Orthodox, it was eaſy to foreſee that thoſe who oppoſed them would employ the ſame Arts and Authority to eſtabliſh their own Faith and Power, and to oppreſs their Enemies, the firſt favourable Opportunity that preſented: And this the Event abundantly made good. And indeed how ſhould it be otherwiſe? For Doctrines that are determined merely by dint of Numbers, and the Awes of worldly Power, carry no manner of Conviction in them, and are not likely therefore to be believed on theſe Accounts by thoſe who have once oppoſed them. And as ſuch Methods of deciding Controverſies equally ſuit all Principles, the introducing them by any Party gives but too plauſible a Pretence to every Party, when uppermoſt, to uſe them in its turn; and though they may agree well enough with the Views of ſpiritual Ambition, yet they can be of no Service in the World to the Intereſt of true Religion, becauſe they are directly contrary to the Nature and Spirit of it; and becauſe Arguments, which equally prove the Truth and Excellency of all Principles, cannot in the leaſt prove the Truth of any.

If one may form a Judgment of the Perſons who compoſed this Council, from the ſmall Accounts we have left of them, they do not, I think, appear to have met ſo much with a Deſign impartially to debate on the Subjects in Controverſy, as to eſtabliſh their own Authority and Opinions, and oppreſs their Enemies. For beſides what hath been already obſerved concerning their Temper and Qualifications, *Theodorit* informs us, that when thoſe of the Arian Party propoſed in writing to the Synod the Form of Faith they had drawn up, the Biſhops of the Orthodox ſide no ſooner read it but they gravely tore it in pieces, and called it a ſpurious and falſe Confeſſion; and after they had filled the Place with Noiſe and Confuſion, univerſally accuſed them of betraying the Doctrine according to Godlineſs. Doth ſuch a Method of Proceeding ſuit very well with the Character of a Synod inſpired, as the good Emperor declared, by the Holy Ghoſt? Is Truth and Error to be decided by Noiſe and Tumult? Was this the Way to convince Gainſayers, and reconcile them to the Unity of the Faith? Or could it be imagined, that the diſſatisfied Part of this venerable Aſſembly would acquieſce in the tyrannical Determination of ſuch a Majority, and patiently ſubmit to Excommunication, Depoſition, and the Condemnation of their Opinions, almoſt unheard, and altogether unexamin'd? How juſtly doth the Cenſure paſſed by *Gregory Nazianzen* upon the Councils that were held in his Time agree to this famous one of *Nice? If*, ſays he, *I muſt ſpeak the Truth, this is my Reſolution, to avoid all Councils of the Biſhops, for I have not ſeen any good End anſwered by any Synod whatſoever; for their love of Contention, and their luſt of Power, are too great even for Words to expreſs.* The Emperor's Conduct to the Biſhops met at *Nice*, is full Proof of the former; for when they were met in Council they imme-

E. H. l. 1. c. 7.

Vol. I. Epiſt. lv. Edit. Col.

Euſeb. de Vit. Conſt. l. 3. c. 13.

immediately fell to wrangling and quarrelling, and were not to be appeaſed and brought to Temper, till *Conſtantine* interpoſed, artfully perſuading ſome, ſhaming others into ſilence, and heaping Commendations on thoſe Fathers that ſpoke agreeable to his Sentiments. The Deciſions they made concerning the Faith, and their Excommunications and Depoſitions of thoſe who differed from them, demonſtrate alſo their affectation of Power and Dominion. But as they had great Reaſon to believe, that their own Decrees would be wholly inſignificant without the Interpoſition of the imperial Authority to enforce them, they ſoon obtained their Deſires, the Emperor readily confirming all they had determined, and injoining all Chriſtians to ſubmit themſelves to them.

Euſeb. de Vit. Conſt. c. 65. His firſt Letters to this purpoſe were mild and gentle: But he was ſoon perſuaded into more violent Meaſures; for out of his great Zeal to extinguiſh Hereſy, he put forth publick Edicts againſt the Authors and Maintainers of it; and particularly againſt the *Novatians*, *Valentinians*, *Marcioniſts*, and others, whom after reproaching *with being Enemies of Truth, deſtructive Counſellors, and with holding Opinions ſuitable to their Crimes*, he deprives of the Liberty of meeting together for Worſhip, either in publick or private Places, and gives all their Oratories to the Orthodox Church. And with reſpect to the Arians, he baniſhed *Arius* himſelf, ordered all his Followers, as abſolute Enemies of Chriſt, to be called *Porphyrians*, from *Porphyrius* an Heathen who wrote againſt Chriſtianity; ordained that the Books written by them ſhould be burnt, that there might be no Remains of their Doctrine left to Poſterity, and moſt cruelly commanded, that if ever any one ſhould dare to keep in his Poſſeſſion any Book written by *Arius*, and ſhould not immediately burn it, he ſhould be no ſooner convicted of the Crime but he ſhould ſuffer Death.

Soz. l. 1. c. 21.

Soc. l. 1. c. 9.

Thus the Orthodox firſt brought in the Puniſhment of Hereſy with Death, and perſuaded the Emperor to deſtroy thoſe whom they could not eaſily convert. The Scriptures were now no longer the Rule and Standard of the Chriſtian Faith. Orthodoxy and Hereſy were from hence forward to be determined by the Deciſions of Councils and Fathers, and Religion to be propagated no longer by the apoſtolick Methods of Perſuaſion, Forbearance, and the Virtues of an holy Life, but by imperial Edicts and Decrees; and heretical Gainſayers not to be convinced, that they might be brought to the Acknowledgment of the Truth and be ſaved, but to be perſecuted and deſtroyed. 'Tis no wonder, that after this there ſhould be a continual Fluctuation of the publick Faith, juſt as the prevailing Parties had the imperial Authority to ſupport them, or that we ſhould meet with little elſe in Eccleſiaſtical Hiſtory but Violence and Cruelties committed by Men who had left the Simplicity of the Chriſtian Faith and Profeſſion, enſlaved themſelves to Ambition and Avarice, and had before them the enſnaring Views of temporal Grandure, high Preferments, and large Revenues. [n] *Since the Time that Avarice hath encreaſed in the Churches*, ſays St.

Epiſt. xiii.

[n] Nunc autem ex quo in Eccleſiis crevit Avaritia, periit Lex de Sacerdote, & Viſio de Propheta. Singuli quiq; pro Potentia Epiſcopalis nominis, quam ſibi ipſi illicite abſq; Eccleſia vendicaverunt, totum quod Levitarum eſt in Uſus ſuos rediguntMoriuntur Fame qui alios ſepelire mandantur. Poſcunt

St. *Jerom*, *the Law of the Prieſt, and the Viſion of the Prophet hath failed. Whilſt all contend for the Epiſcopal Power, which they unlawfully ſeize on without the Church's leave; they apply to their own Uſes all that belongs to the* Levites. *The miſerable Prieſt begs in the Streets——They die with Hunger who are commanded to bury others. They aſk for Pity who are commanded to pity others——The Prieſts only care is to get Money——Hence Hatreds ariſe through the Avarice of the Prieſts; hence the Biſhops are accuſed by their Clergy; hence the Quarrels of the Prelates; hence the Cauſes of Deſolations; hence the Riſe of their Wickedneſs.* Religion and Chriſtianity ſeem indeed to be the leaſt Thing that either the contending Parties had at heart, by the infamous Methods they took to eſtabliſh themſelves and ruin their Adverſaries.

If one reads the Complaints of the Orthodox Writers againſt the Arians, one would think the Arians the moſt execrable Set of Men that ever lived, they being loaded with all the Crimes that can poſſibly be committed, and repreſented as bad, or even worſe, than the Devil himſelf. But no wiſe Man will eaſily credit theſe Accounts, which the Orthodox give of their Enemies, becauſe, as *Socrates* tells us, *This was the Practice of the Biſhops towards all they depoſed, to accuſe and pronounce them impious, but not to tell others the Reaſons why they accuſed them as ſuch.* 'Twas enough for their Purpoſe to expoſe them to the publick Odium, and make them appear impious to the Multitude, that ſo they might get them expelled from their rich Sees, and be tranſlated to them in their room. And this they did as frequently as they could, to the introducing infinite Calamities and Confuſions into the Chriſtian Church. And if the Writings of the Arians had not been prudently deſtroyed, I doubt not but we ſhould have found as many Charges laid by them, with equal Juſtice, againſt the Orthodox, as the Orthodox have produced againſt them; their very Suppreſſion of the Arian Writings being a very ſtrong Preſumption againſt them, and the many imperial Edicts of *Conſtantine*, *Theodoſius*, *Valentinian*, *Martian*, and others, againſt Hereticks, being an abundant Demonſtration that they had a deep Share in the Guilt of Perſecution.

E. H. l. 1. c. 24.

*Alexander*, Biſhop of *Alexandria*, in his Letter to the Biſhop of *Conſtantinople*, complains that *Arius* and others, deſirous of Power and Riches, did Day and Night invent Calumnies, and were continually exciting Seditions and Perſecutions againſt him; and *Arius* in his turn, in his Letter to *Euſebius* of *Nicomedia*, with too much Juſtice charges Pope *Alexander* with violently perſecuting and oppreſſing him upon account of what he called the Truth, and uſing every Method to ruin him, driving him out of the City as an atheiſtical Perſon, for not agreeing with him in his Sentiments about the Trinity. *Athanaſius* alſo bitterly exclaims againſt the Cruelty of the Arians, in his Apology for his flight. *Whom have they not*, ſays he, *uſed with the greateſt Indignity, that they have been able to lay hold of? Who hath ever fallen into their Hands, that they have had any*

Theod. l. 1. c. 4, 5.

Vol. I. p. 702.

Poſcunt miſerecordiam, qui miſereri aliis ſunt precepti——Solus incubat Divitiis——Hinc propter Sacerdotum Avaritiam Odia conſurgunt, hinc Epiſcopi accuſantur a Clericis, hinc Principum Lites, hinc Deſolationum Cauſæ, hinc Origo Criminis.

*ſpite*

*ſpite againſt, whom they have not ſo cruelly treated, as either to murther or to maim him? What Place is there where they have not left the Monuments of their Barbarity? What Church is there which doth not lament their Treachery againſt their Biſhops?* After this paſſionate Exclamation he mentions ſeveral Biſhops they had baniſhed or put to Death, and the Cruelties they made uſe of to force the Orthodox to renounce the Faith, and to ſubſcribe to the Truth of the Arian Doctrines. But might it not have been aſked, Who was it that firſt brought in Excommunications, Depoſitions, Baniſhments, and Death, as the Puniſhments of Hereſy? Could not the Arians recriminate with Juſtice? Were they not reproached as Atheiſts, anathematized, expelled their Churches, exiled, and made liable to the Puniſhment of Death by the Orthodox? Did not even they who complained of the Cruelty of the Arians in the moſt moving Terms, create numberleſs Confuſions and Slaughters by their violent Intruſions into the Sees of their Adverſaries? Was not *Athanaſius* himſelf alſo accuſed to the Emperor, by many Biſhops and Clergymen, who declared themſelves Orthodox, of being the Author of all the Seditions and Diſturbances in the Church, by excluding great Multitudes from the publick Services of it; of murthering ſome, putting others in Chains, puniſhing others with Stripes and Whippings, and of burning Churches? And if the Enemies of *Athanaſius* endeavoured to ruin him by ſuborned Witneſſes and falſe Accuſations, *Athanaſius* himſelf uſed the ſame Practices to deſtroy his Adverſaries, and particularly *Euſebius* of *Nicomedia*, by ſpiriting up a Woman to charge *Euſebius* with getting her with Child, the Falſhood of which was detected at the Council of *Tyre*. His very Ordination alſo to the Biſhop of *Alexandria*, was cenſured as clandeſtine and illegal. Theſe Things being reported to *Conſtantine*, he ordered a Synod to meet at *Cæſarea* in *Paleſtine*, of which Place *Euſebius Pamphilus* was Biſhop, before whom *Athanaſius* refuſed to appear. But after the Council was removed to *Tyre* he was obliged by force to come thither, and commanded to anſwer to the ſeveral Crimes objected againſt him. Some of them he cleared himſelf of, and as to others he deſired more Time for his Vindication. At length, after many Seſſions, both his Accuſers, and the Multitude who were preſent in the Council, demanded his Depoſition as an Impoſtor, a violent Man, and unworthy the Prieſthood. Upon this *Athanaſius* fled from the Synod, after which they condemned him, and deprived him of his Biſhoprick, and ordered he ſhould never more enter *Alexandria*, to prevent his exciting Tumults and Seditions. They alſo wrote to all the Biſhops to have no Communion with him, as one convicted of many Crimes, and as having convicted himſelf by his flight of many others, to which he had not anſwered. And for this their Procedure they aſſigned theſe Reaſons, that he deſpiſed the Emperor's Orders, by not coming to *Cæſarea*; that he came with a great Number of Perſons to *Tyre*, and excited Tumults and Diſturbances in the Council, ſometimes refuſing to anſwer to the Crimes objected againſt him, at other Times reviling all the Biſhops; ſometimes not obeying their Summons, and at others refuſing to ſubmit to their Judgment; that he was fully and evidently convicted of breaking in pieces the ſacred Cup, by ſix Biſhops who had been ſent into *Egypt* to

Soz. l. 1. c. 22.

Philoſtorg. Compen. E. H. l. 8. c. 11.

Soz. l. 2. c. 25, 28.

inquire out the Truth. *Athanaſius*, however, appealed to *Conſtantine*, and gave him ſuch a Repreſentation of the Council's Tranſactions as greatly offended him. But when *Euſebius* and others laid the whole Matter before him, the Emperor entirely altered his Sentiments, confirmed his Depoſition, and baniſhed him into *France*.

Indeed *Athanaſius*, notwithſtanding his ſad Complaints under Perſecution, and his expreſly calling it a diabolical Invention, yet ſeems to be againſt it only when he and his own Party were perſecuted, but not againſt perſecuting the Enemies of Orthodoxy. In his Letter to *Epictetus*, Biſhop of *Corinth*, he ſaith, *I wonder that your Piety hath born theſe Things* (*viz.* the Hereſies he had before-mentioned) *and that you did not immediately put thoſe Hereticks under Reſtraint, and propoſe the true Faith to them; that if they would not forbear to contradict they might be declared Hereticks; for 'tis not to be endured that theſe Things ſhould be either ſaid or heard amongſt Chriſtians.* And in another Place he ſays, *that they ought to be had in univerſal Hatred for oppoſing the Truth*; and comforts himſelf, that the Emperor, upon due Information, would put a Stop to their Wickedneſs, and that they would not be long liv'd. And to mention no more, *I therefore exhort you*, ſays he, *let no one be deceived, but as though the* Jewiſh *Impiety was prevailing over the Faith of Chriſt, be ye all zealous in the Lord. And let every one hold faſt the Faith he hath received from the Fathers, which alſo the Fathers met together at* Nice *declared in Writing, and endure none of thoſe who may attempt to make any Innovations therein.* 'Tis needleſs to produce more Inſtances of this kind; whoſoever gives himſelf the Trouble of looking over any of the Writings of this Father, will find in them the moſt furious Invectives againſt the *Arians*, and that he ſtudiouſly endeavours to repreſent them in ſuch Colours, as might render them the Abhorrence of Mankind, and excite the World to their utter Extirpation.

Ad Imp. Conſt. Apol. p. 716. Vol. I. p. 584. Orat. 1. cont. Ar. p. 304. Vol. I. p. 291. P. 292.

I write not theſe Things out of any Averſion to the Memory, or peculiar Principles of *Athanaſius*; whether I agree with him, or differ from him in Opinion, I think my ſelf equally obliged to give impartially the true Account of him. And as this which I have given of him is drawn partly from Hiſtory, and partly from his own Writings, I think I cannot be juſtly charged with miſrepreſenting him. To ſpeak plainly, I think that *Athanaſius* was a Man of an haughty and inflexible Temper, and more concerned for Victory and Power than for Truth, Religion or Peace. The Word *Conſubſtantial* that was inſerted into the *Nicene* Creed, and the Anathema denounced againſt all who would or could not believe in it, furniſhed Matter for endleſs Debates. Thoſe who were againſt it cenſured as Blaſphemers thoſe who uſed it; and as denying the proper Subſiſtence of the Son, and as falling into the Sabellian Hereſy. The Conſubſtantialiſts on the other ſide reproached their Adverſaries as Heathens, and with bringing in the Polytheiſm of the Gentiles. And though they equally denied the Conſequences which their reſpective Principles were charged with, yet as the Orthodox would not part with the Word *Conſubſtantial*, and the Arians could not agree to the Uſe of it, they continued their unchriſtian Reproaches and Accuſations of each other. *Athanaſius* would yield to no Terms

Soz. l. 2. c. 18.

of Peace, nor receive any into Communion, who would not abſolutely ſubmit to the Deciſions of the Fathers of *Nice*. In his Letter to *Johannes* and *Antiochus* he exhorts them to hold faſt the Confeſſion of thoſe Fathers, and *to reject all who ſhould ſpeak more or leſs than was contained in it.* And in his firſt Oration againſt the Arians he declares in plain Terms, "That the expreſſing "a Perſon's Sentiments in the Words of Scripture was no ſufficient Proof of "Orthodoxy, becauſe the Devil himſelf uſed Scripture Words to cover his "wicked Deſigns upon our Saviour; and even farther, that Hereticks were "not to be received, though they made uſe of the very Expreſſions of Or-"thodoxy it ſelf." With one of ſo ſuſpicious and jealous a Nature there could ſcarce be any poſſible Terms of Peace, it being extremely unlikely, that without ſome kind Allowances, and mutual Abatements, ſo wide a Breach could ever be compromiſed. Even the Attempts of *Conſtantine* himſelf to ſoften *Athanaſius*, and reconcile him to his Brethren, had no other Influence upon him, than to render him more imperious and obſtinate; for after *Arius* had given in ſuch a Confeſſion of his Faith as ſatisfied the Emperor, and expreſly denied many of the Principles he had been charged with, and thereupon humbly deſired the Emperor's Interpoſition, that he might be reſtored to the Communion of the Church; *Athanaſius*, out of Hatred to his Enemy, flatly denied the Emperor's Requeſt, and told him, that 'twas impoſſible for thoſe who had once rejected the Faith, and were anathematized, ever to be wholly reſtored. This ſo provoked the Emperor, that he threaten'd to depoſe and baniſh him, unleſs he ſubmitted to his Order; which he ſhortly after did, by ſending him into *France*, upon an Accuſation of ſeveral Biſhops, who, as *Socrates* intimates, were worthy of Credit, That he had ſaid he would ſtop the Corn that was yearly ſent to *Conſtantinople* from the City of *Alexandria*. To ſuch an Height of Pride was this Biſhop now arrived, as even to threaten the Sequeſtration of the Revenues of the Empire. *Conſtantine* alſo apprehended, that this Step was neceſſary to the Peace of the Church, becauſe *Athanaſius* abſolutely refuſed to communicate with *Arius* and his Followers.

Vol. I. p. 951.

P. 291.

Soc. l. 1. c. 27.

Id. Ibid. c. 35.

Soon after theſe Tranſactions *Arius* died, and the Manner of his Death, as it was reported by the Orthodox, *Athanaſius* thinks of it ſelf ſufficient fully to condemn the Arian Hereſy, and an evident Proof that it was hateful to God. Nor did *Conſtantine* himſelf long ſurvive him; he was ſucceeded by his three Sons, *Conſtantine*, *Conſtantius*, and *Conſtans*. *Conſtantine* the eldeſt recalled *Athanaſius* from Baniſhment, and reſtored him to his Biſhoprick, upon which Account there aroſe moſt grievous Quarrels and Seditions, many being killed, and many publickly whipped by *Athanaſius*'s Order, according to the Accuſations of his Enemies. *Conſtantius*, after his elder Brother's Death, convened a Synod at *Antioch* in *Syria*, where *Athanaſius* was again depoſed for theſe Crimes, and *Gregory* put into the See of *Alexandria*. In this Council a new Creed was drawn up, in which the Word *Conſubſtantial* was wholly omitted, and the Expreſſions made uſe of ſo general, as that they might have been equally agreed to by the Orthodox and Arians. In the Cloſe of it ſeveral Anathema's were added, and particularly upon all who ſhould teach or preach other-

Ad Solit. Vit. Agen. Epiſt. p. 809, 810.

Soc. l. 2. c. 8.

Soz. l. 3. c. 5.

Soz. l. 3. c. 5.

Soc. l. 2. c. 10.

otherwise than what this Council had received, because, as they themselves say, *They did really believe and follow all Things delivered by the Holy Scriptures, both Prophets and Apostles.* So that now the whole Christian World was under a synodical Curse, the opposite Councils having damned one another, and all that differed from them. And if Councils, as such, have any Authority to anathematise all who will not submit to them, this Authority equally belongs to every Council; and therefore 'twas but a natural Piece of Revenge, that as the Council of *Nice* had sent all the Arians to the Devil, the Arians, in their turn, should take the Orthodox along with them for Company, and thus repay one Anathema with another.

*Constantius* himself was warmly on the Arian side, and favoured the Bishops of that Party only, and ejected *Paul* the Orthodox Bishop from the See of *Constantinople*, as a Person altogether unworthy of it, *Macedonius* being substituted in his room. *Macedonius* was in a different Scheme, or at least expressed himself in different Words both from the Orthodox and Arians, and asserted, That the Son was not Consubstantial but ομοιουσιος, not of the same, but a like Substance with the Father, and openly propagated this Opinion, after he had thrust himself into the Bishoprick of *Paul*. This the orthodox Party highly resented, opposing *Hermogenes*, whom *Constantius* had sent to introduce him, and in their Rage burnt down his House, and drew him round the Streets by his Feet till they had murthered him. But notwithstanding the Emperor's Orders were thus opposed, and his Officers killed by the orthodox Party, he treated them with great Lenity, and in this Instance punished them much less than their Insolence and Fury deserved. Soon after this *Athanasius* and *Paul* were restored again to their respective Sees; and upon *Athanasius*'s entering *Alexandria* great Disturbances arose, which were attended with the Destruction of many Persons, and *Athanasius* accused of being the Author of all those Evils. Soon after *Paul*'s return to *Constantinople* he was banished from thence again by the Emperor's Order, and *Macedonius* re-entered into Possession of that See, upon which Occasion three Thousand one Hundred and fifty Persons were murthered, some by the Soldiers, and others by being pressed to Death by the Croud. *Athanasius* also soon followed him into Banishment, being accused of selling the Corn which *Constantine* the Great had given for the Support of the Poor of the Church of *Alexandria*, and putting the Money in his own Pocket; and being therefore threaten'd by *Constantius* with Death. But they were both a little while after recalled by *Constans*, then banished again by *Constantius*; and *Paul*, as some say, murthered by his Enemies the Arians, as he was carrying into Exile; though, as *Athanasius* himself owns, the Arians expresly denied it, and said, that he died of some Distemper. *Macedonius* having thus gotten quiet Possession of the See of *Constantinople*, prevailed with the Emperor to publish a Law, by which those of the Consubstantial, or orthodox Party, were driven not only out of the Churches but Cities too, and many of them compelled to communicate with the Arians by Stripes and Torments, by Proscriptions and Banishments, and other violent Methods of Severity. Upon the Banishment of *Athanasius*, whom *Constantius* in his Letter to the Citizens of *Alexandria*

Soc. l. 3. c. 4. Athanas. de Sanct. Trin. V. 2. p. 210. Soc. l. 2. c. 13. c. 15. Soc. l. 2. c. 17. Ad Sol. Vit. Ag. p. 813. Soc. l. 2. c. 27. Ad Const. Apol. p. 695.

*dria calls an Impoſtor, a Corrupter of Men's Souls, a Diſturber of the City, a pernicious Fellow, one convicted of the worſt Crimes, not to be expiated by his ſuffering Death ten Times, George* was put into the See of *Alexandria*, whom the Emperor, in the ſame Letter, ſtiles *a moſt venerable Perſon, and the moſt capable of all Men to inſtruct them in heavenly Things*; though *Athanaſius*, in his uſual Stile, calls him *an Idolater and Hangman, and one capable of all Violences, Rapines, and Murthers*; and whom he actually charges with committing the moſt impious Actions and outragious Cruelties. Thus, as *Socrates* obſerves, was the Church torn in pieces by a Civil War for the ſake of *Athanaſius* and the Word *Conſubſtantial*.

Cont. Ar. Orat. 1. p. 290.

l. 2. c. 25.

The Truth is, that the Chriſtian Clergy were now become the chief Incendiaries and Diſturbers of the Empire, and the Pride of the Biſhops, and the Fury of the People on each ſide were grown to ſuch an Height, as that there ſcarce ever was an Election or Reſtoration of a Biſhop in the larger Cities, but it was attended with Slaughter and Blood. *Athanaſius* was ſeveral Times baniſhed and reſtored, at the Expence of Blood; the Orthodox were depoſed, and the Arians ſubſtituted in their room, with the Murther of Thouſands; and as the Controverſy was now no longer about the plain Doctrines of uncorrupted Chriſtianity, but about Power and Dominion, high Preferments, large Revenues, and ſecular Honours; agreeably hereto, the Biſhops were introduced into their Churches, and placed on their Thrones, by armed Soldiers, and paid no Regard to the Eccleſiaſtical Rules, or the Lives of their Flocks, ſo they could get Poſſeſſion, and keep out their Adverſaries: And when once they were in, they treated thoſe who differ'd from them without Moderation or Mercy, turning them out of their Churches, denying them the Liberty of Worſhip, putting them under an Anathema, and perſecuting them with innumerable Methods of Cruelty; as is evident from the Accounts given by the Eccleſiaſtical Hiſtorians, of *Athanaſius*, *Macedonius*, *George*, and others, which may be read at large in the forementioned Places. In a Word, they ſeemed to treat one another with the ſame implacable Bitterneſs and Severity, as ever their common Enemies, the Heathens, treated them, as though they thought that Perſecution for Conſcience ſake had been the diſtinguiſhing Precept of the Chriſtian Religion; and that they could not more effectually recommend and diſtinguiſh themſelves as the Diſciples of Chriſt, than by taring and devouring one another. This made *Julian*, the Emperor, ſay of them, *That he found by Experience, that even Beaſts are not ſo cruel to Men, as the generality of Chriſtians were to one another.*

Soc. l. 2. c. 15, 16.

Am. Mar. l. 22. c. 5.

This was the unhappy State of the Church in the Reign of *Conſtantius*, which affords us little more than the Hiſtory of Councils and Creeds differing from, and contrary to each other; Biſhops depoſing, cenſuring, and anathematizing their Adverſaries, and the Chriſtian People divided into Factions under their reſpective Leaders, for the ſake of Words they underſtood nothing of the Senſe of, and ſtriving for Victory even to Bloodſhed and Death. Upon the Succeſſion of *Julian* to the Empire, though the contending Parties could not unite againſt the common Enemy, yet they were by the Emperor's Clemency and Wiſdom

Wiſdom kept in tolerable Peace and Order. The Biſhops which had been baniſhed by *Conſtantius* his Predeceſſor, he immediately recalled, ordered their Effects, which had been confiſcated, to be reſtored to them, and commanded that no one ſhould injure or hurt any Chriſtian whatſoever. And as *Ammianus Marcellinus*, an heathen Writer of thoſe Times, tells us, he cauſed the Chriſtian Biſhops and People, who were at variance with each other, to come into his Palace, and there admoniſhed them, that they ſhould every one profeſs their own Religion, without Hindrance or Fear, provided they did not diſturb the publick Peace by their Diviſions. This was an Inſtance of great Moderation and Generoſity, and a Pattern worthy the Imitation of all his Succeſſors. Soc. l. 3. c. 1. l. 22. c. 5.

In the beginning of *Julian*'s Reign ſome of the Inhabitants of *Alexandria*, and, as was reported, the Friends of *Athanaſius*, by his Advice, raiſed a great Tumult in the City, and murthered *George*, the Biſhop of the Place, by taring him in pieces, and burning his Body; upon which *Athanaſius* returned immediately from his Baniſhment, and took Poſſeſſion of his See, turning out the Arians from their Churches, and forcing them to hold their Aſſemblies in private and mean Places. *Julian*, with great Equity, ſeverely reproved the *Alexandrians* for this their Violence and Cruelty, telling them, that though *George* might have greatly injured them, yet they ought not to have revenged themſelves on him, but to have left him to the Juſtice of the Laws. *Athanaſius*, upon his Reſtoration, immediately convened a Synod at *Alexandria*, in which was firſt aſſerted the Divinity of the Holy Spirit, and his Conſubſtantiality with the Father and the Son. But his Power there was but ſhort; for being accuſed to *Julian* as the Deſtroyer of that City, and all *Egypt*, he ſaved himſelf by flight, but ſoon after ſecretly returned to *Alexandria*, where he lived in great privacy till the Storm was blown over by *Julian*'s Death, and the Succeſſion of *Jovian* to the Empire, who reſtored him to his See, in which he continued undiſturbed to his Death. Soc. l. 3. c. 2, 3, 4. Philoſt. l. 7. c. 2. c. 13. Theod. l. 4. c. 2.

Although *Julian* behaved himſelf with great Moderation, upon his firſt Acceſſion to the imperial Dignity, towards the Chriſtians, as well as others, yet his Hatred to Chriſtianity ſoon appeared in many Inſtances. For though he did not, like the reſt of the Heathen Emperors, proceed to ſanguinary Laws, yet he commanded, that the Children of Chriſtians ſhould not be inſtructed in the *Grecian* Language and Learning. By another Edict he ordained, That no Chriſtian ſhould bear any Office in the Army, nor have any Concern in the Diſtribution and Management of the publick Revenues. He taxed very heavily, and demanded Contributions from all who would not ſacrifice, to ſupport the vaſt Expences he was at in his Eaſtern Expeditions. And when the Governors of the Provinces took Occaſion from hence to oppreſs and plunder them, he diſmiſſed thoſe who complained with this ſcornful Anſwer, *Your God hath commanded you to ſuffer Perſecution!* He alſo deprived the Clergy of all their Immunities, Honours, and Revenues, granted them by *Conſtantine*, abrogated the Laws made in their Favour, and ordered they ſhould be liſted amongſt the Number of Soldiers. He deſtroyed ſeveral of their Churches, and ſtripped them of their Treaſure and ſacred Veſſels. Some he puniſhed with Baniſh- Soc. l. 3. c. 14, &c. Theod. l. 3. c. 6, &c.

ment, and others with Death, under pretence of their having pulled down ſome of the Pagan Temples, and inſulted himſelf.

The Truth is, that the Chriſtian Biſhops and People ſhewed ſuch a turbulent and ſeditious Spirit, that 'twas no wonder that *Julian* ſhould keep a jealous Eye over them, and though otherwiſe a Man of great Moderation, connive at the Severities his Officers ſometimes practiſed on them. Whether he would have proceeded to any farther Extremities againſt them, had he returned Victorious from his *Perſian* Expedition, as *Theodorit* affirms he would, cannot, I
l. 3. c. 21. think, be determined. He was certainly a Perſon of great Humanity in his natural Temper; but how far his own Superſtition, and the Imprudencies of the Chriſtians, might have altered this Diſpoſition, 'tis impoſſible to ſay. Thus much is certain, that the Behaviour of the Chriſtians towards him, was, in many Inſtances, very blameable, and ſuch as tended to irritate his Spirit, and awaken his Reſentment. But whatever his Intentions were, he did not live to execute them, being ſlain in his *Perſian* Expedition.

Soc. l. 3. c. 24, 25. He was ſucceeded by *Jovian*, who was a Chriſtian by Principle and Profeſſion. Upon his return from *Perſia* the Troubles of the Church immediately revived, the Biſhops and Heads of Parties crouding about him, each hoping that he would liſt on their ſide, and grant them Authority to oppreſs their Ad-
Theod. l. 4. c. 4 verſaries. *Athanaſius*, amongſt others, writes to him in favour of the *Nicene* Creed, and warns him againſt the Blaſphemies of the Arians; and though he doth not directly urge him to perſecute them, yet he tells him, that 'tis neceſſary to adhere to the Deciſions of that Council concerning the Faith, and that their Creed was Divine and Apoſtolical; and that no Man ought to reaſon or diſpute againſt it, as the Arians did. A Synod alſo of certain Biſhops met at *Antioch* in *Syria*; and though ſeveral of them had been Oppoſers of the *Nicene* Doctrine before, yet finding that this was the Faith eſpouſed by *Jovian*, they with great Obſequiouſneſs readily confirm'd it, and ſubſcribed it, and in a flattering Letter ſent it to him, repreſenting that this true and orthodox Faith was the great Center of Unity. The Followers alſo of *Macedonius*, who rejected the Word *Conſubſtantial*, and held the Son to be only *like to the Father*, moſt humbly beſought him, that ſuch who aſſerted the Son to be unlike the Father might be driven from their Churches, and that they themſelves might be put into them in their room; with the Biſhops Names ſubſcribed to the Petition. But *Jovian*, though himſelf in the orthodox Doctrine, did not ſuffer himſelf to be drawn into Meaſures of Perſecution by the Arts of theſe temporizing Prelates, but diſmiſſed them civilly with this Anſwer: *I hate Contention, and love thoſe only that ſtudy Peace*; declaring, that *he would trouble none upon account of their Faith, whatever it was*; *and that he would favour and eſteem ſuch only who ſhould ſhew themſelves Leaders in reſtoring the Peace of the Church.* *Themiſtius* the Philoſopher, in his Oration upon *Jovian*'s Conſulate, commends him very juſtly on this account, that he gave free Liberty to every one to worſhip God as he would, and deſpiſed the flattering Inſinuations of thoſe who would have perſuaded him to the Uſe of violent Methods, concerning whom he pleaſantly, but with too much Truth, ſaid, *That he found by Experience, that they worſhip not God, but the Purple.*

The

The two Emperors, *Valentinianus* and *Valens*, who ſucceeded *Jovian*, were of very different Tempers, and embraced different Parties in Religion. The former was of the Orthodox ſide; and though he favoured thoſe moſt who were of his own Sentiments, yet he gave no Diſturbance to the Arians. On the contrary, *Valens*, his Brother, was of a rigid and ſanguinary Diſpoſition, and ſeverely perſecuted all who differed from him. In the beginning of their Reign a Synod met in *Illyricum*, who again decreed the Conſubſtantiality of Father, Son, and Holy Ghoſt. This the two Emperors declared in a Letter their Aſſent to, and ordered that this Doctrine ſhould be preached. However, they both publiſhed Laws for the Toleration of all Religions, even the Heathen and Arian. But *Valens* was ſoon prevailed on by the Arts of *Eudoxius*, Biſhop of *Conſtantinople*, to forſake both his Principles of Religion and Moderation, and embracing the Arian Party, he cruelly perſecuted all thoſe who were of the orthodox Party. The Conduct of the orthodox Synod met at *Lampſacus* was the firſt Thing that enraged him; for having obtained of him leave to meet, for the Amendment and Settlement of the Faith, after two Months Conſultation they decreed the Doctrine of the Son's being like the Father as to his Eſſence, to be Orthodox, and depoſed all the Biſhops of the Arian Party. This highly exaſperated *Valens*, who thereupon called a Council of Arian Biſhops, and commanded the Biſhops that compoſed the Council at *Lampſacus* to embrace the Opinions of *Eudoxius* the Arian, and upon their refuſal immediately ſent them into Baniſhment, and gave their Churches to their Enemies, ſparing only *Paulinus*, for the remarkable Sanctity of his Life. After this he enter'd into more violent Meaſures, and cauſed the Orthodox, ſome of them to be whipped, others to be diſgraced, others to be impriſoned, and others to be fined. He alſo put great Numbers to death, and particularly cauſed eighty of them at once to be put on Board a Ship, and the Ship to be fired when it was ſailed out of the Harbour, where they miſerably periſhed by the Water and the Flames. Theſe Perſecutions he continued to the End of his Reign, and was greatly aſſiſted in them by the Biſhops of the Arian Party.

Soc. l. 4. c. 1. Theod. l. 4. c. 8. Cod. Theod. tit. 16. l. 9. Soc. l. 4. c. 6. Soz. l. 6. c. 7. Soc. Ibid. c. 15, 16. Theod. l. 4. c. 22.

In the mean Time great Diſturbances happened at *Rome*. *Liberius*, Biſhop of that City being dead, *Urſinus*, a Deacon of that Church, and *Damaſus*, were both nominated to ſucceed him. The Party of *Damaſus* prevailed, and got him choſen and ordained. *Urſinus* being enraged that *Damaſus* was preferred before him, ſet up ſeparate Meetings, and at laſt procured himſelf to be privately ordained by certain obſcure Biſhops. This occaſioned great Diſputes amongſt the Citizens, which ſhould obtain the Epiſcopal Dignity, and the Matter was carried to ſuch an Height, that great Numbers were murthered in the Quarrel on both ſides, no leſs than one Hundred thirty ſeven Perſons being deſtroy'd in the Church it ſelf, according to *Ammianus*, who adds, [o] *That 'twas no wonder to ſee thoſe who were ambitious of human Greatneſs, contending with ſo much Heat*

Soc. l. 4. c. 29. l. 27. c. 3.

[o] Cum id adepti, futuri ſint ita ſecuri, ut ditentur oblationibus Matronarum, procedantq; vehiculis inſidentes, circumſpecte veſtiti, epulas curantes profuſas, adeo ut eorum convivia regales ſuperent menſas.

*and*

*and Animosity for that Dignity, because when they had obtained it, they were sure to be enriched by the Offerings of the Matrons, of appearing Abroad in great Splendor, of being admired for their costly Coaches, sumptuous in their Feasts, out-doing Sovereign Princes in the Expences of their Tables.* For which Reason *Prætextatus*, an Heathen, who was Prefect of the City the following Year, said, *Make me Bishop of* Rome *and I'll be a Christian too.*

*Gratian*, the Son of *Valentinian*, his Partner and Successor in the Empire, was of the orthodox Party, and after the Death of his Uncle *Valens* recalled those whom he had banished, and restored them to their Sees. But as to the Arians, he sent *Sapores*, one of his Captains, to drive them, as wild Beasts, out of all their Churches. *Socrates* and *Sozomen* tell us, however, that by a Law he ordained, that Persons of all Religions should meet, without fear, in their several Churches, and worship according to their own Way, the *Eunomians*, *Photinians* and *Manichees* excepted.

Theod. l. 5. c. 2.

*Theodosius*, soon after his Advancement by *Gratian* to the Empire, discovered a very warm Zeal for the orthodox Opinions; for observing that the City of *Constantinople* was divided into different Sects, he wrote a Letter to them from *Thessalonica*, wherein he tells them, *That 'twas his Pleasure, that all his Subjects should be of the same Religion with* Damasus *Bishop of* Rome, *and* Peter *Bishop of* Alexandria; and that their Church only should be called Catholick, who worshipped the Divine Trinity as equal in Honour; and that those who were of another Opinion should be called Hereticks, become infamous, and be subject to other Punishments. He also forbid Assemblies and Disputations in the *Forum*, and made a Law for the Punishment of those that should presume to argue about the Essence and Nature of God. Upon his first coming to *Constantinople*, being very solicitous for the Peace and Increase of the Church, he sent for *Demophilus* the Arian Bishop, and asked him whether he would consent to the *Nicene* Faith, and thus accept the Peace he offered him; adding, *If you refuse to do it I will drive you from your Churches.* And upon *Demophilus*'s Refusal, the Emperor was as good as his Word, and turned him and all the Arians out of the City, after they had been in possession of the Churches there for Forty Years. But being willing more effectually to extinguish Heresy, he summoned a Council of Bishops of his own Persuasion, *A. C.* 383. to meet together at *Constantinople*, in order to confirm the *Nicene* Faith: The Number of them were one Hundred and fifty; to these were added thirty six of the *Macedonian* Party. And accordingly this Council, which is reckoned the second Oecumenical or general one, all of them, except the *Macedonians*, did decree that the *Nicene* Faith should be the Standard of Orthodoxy; and that all Heresies should be condemned. They also made an Addition to that Creed, explaining the orthodox Doctrine of the Spirit against *Macedonius*, viz. after the Words Holy Ghost, they inserted, *The Lord, the Quickner, proceeding from the Father, whom with the Father and the Son we worship and glorify, and who spake by the Prophets.* When the Council was ended the Emperor put forth two Edicts against Hereticks; by the first prohibiting them from holding any Assemblies; and by the second, forbidding them to meet in Fields or Villages, order-

Soz. l. 7. c. 4. 6.

Soc. l. 5. c. 7.

c. 8.

*The second general Council*, A. C. 383.

Cod. Theod. l. 11, 12.

ordering the Houſes where they met to be confiſcated, and commanding that ſuch who went to other Places to teach their Opinions, or perform their religious worſhip, ſhould be forced to return to the Places where they dwelt, condemning all thoſe Officers and Magiſtrates of Cities who ſhould not prevent ſuch Aſſemblies. A little while after the Concluſion of this Council, finding that many Diſorders were ſtill occaſioned through the Oppoſition of the ſeveral Parties to one another, he convened the principal Perſons of each, and ordered them to deliver into his Hand a written Form of their Belief, which after he had received, he retired by himſelf, and earneſtly prayed to God, that he would enable him to make Choice of the Truth. And when after this he had peruſed the ſeveral Papers delivered to him, he tore them all in pieces, except that which contained the Doctrine of the indiviſible Trinity, to which he intirely adhered. After this he publiſhed a Law, by which he forbid Hereticks to worſhip or preach, or to ordain Biſhops or others, commanding ſome to be baniſhed, others to be rendered infamous, and to be deprived of the common Privileges of Citizens, with other grievous Penalties of the like nature. *Sozomen*, however, tells us, that he did not put theſe Laws in execution, becauſe his Intention was not to puniſh his Subjects, but to terrify them into the ſame Opinions of God with himſelf, praiſing at the ſame time thoſe who voluntarily embraced them. *Socrates* alſo confirms the ſame, telling us, that he only baniſhed *Eunomius* from *Conſtantinople* for holding private Aſſemblies, and reading his Books to them, and thereby corrupting many with his Doctrine. But that as to others he gave them no Diſturbance, nor forced them to communicate with him, but allowed them all their ſeveral Meetings, and to enjoy their own Opinions as to the Chriſtian Faith. Some he permitted to build Churches without the Cities, and the *Novatians* to retain their Churches within, becauſe they held the ſame Doctrines with himſelf.

Soz. l. 7. c. 12.

l. 5. c. 20.

*Arcadius* and *Honorius*, the Sons and Succeſſors of *Theodoſius*, embraced the orthodox Religion and Party, and confirmed all the Decrees of the foregoing Emperors in their Favour. Soon after their Acceſſion to the imperial Dignity, *Nectarius* Biſhop of *Conſtantinople* died, and *John*, called for his Eloquence *Chryſoſtom*, was ordained in his room: He was a Perſon of a very rigid and ſevere Temper, an Enemy to Hereticks, and againſt allowing them any Toleration. *Gaina*, one of the principal Officers of *Arcadius*, and who was a Chriſtian of the Arian Perſwaſion, deſired of the Emperor one Church for himſelf and thoſe of his Opinion, within the City. *Chryſoſtom* being informed of it, immediately went to the Palace, taking with him all the Biſhops he could find at *Conſtantinople*, and in the Preſence of the Emperor bitterly inveigh'd againſt *Gaina*, who was himſelf at the Audience, and reproached him for his former Poverty, as alſo with Inſolence and Ingratitude. Then he produced the Law that was made by *Theodoſius*, by which Hereticks were forbidden to hold Aſſemblies within the Walls of the City; and turning to the Emperor, perſwaded him to keep in force all the Laws againſt Hereticks; adding, that 'twas better voluntarily to quit the Empire, than to be guilty of the Impiety of betraying the Houſe of God. *Chryſoſtom* carried his Point, and the Conſequence of it was

Soz. l. 8. c. 1, 2, 4.

an Insurrection of the *Goths* in the City of *Constantinople*, which had like to have ended in the Burning the imperial Palace, and the Murther of the Emperor, and did actually end in the cutting off all the *Gothick* Soldiers, and the Burning of their Church, with great Numbers of Persons in it, who fled thither for Safety, and were locked in to prevent their escape. His violent Treatment of several Bishops, and the arbitrary Manner of his deposing them, and substituting others in their room, contrary to the Desires and Prayers of the People, is but too full a Proof of his imperious Temper, and love of Power. Not content with this, he turned his Eloquence against the Empress *Eudoxia*, and in a set Oration inveighing against bad Women, he expressed himself in such a Manner, as that both his Friends and Enemies believed that the Invective was chiefly levelled against her. This so enraged her, that she soon procured his Deposition and Banishment. Being soon after restored, he added new Provocations to the former, by rebuking the People for certain Diversions they took at a Place where the Statue of the Empress was erected. This she took for an Insult on her Person, and when *Chrysostom* knew her Displeasure on this Account, he used more severe Expressions against her than before, saying, *Herodias is enraged again; she raises fresh Disturbances; and again desires the Head of* John *in a Charger*. On this and other Accounts he was deposed and banished by a Synod convened for that purpose, Bishops being always to be had in those Days easily, to do what was desired or demanded of them by the Emperors. *Chrysostom* died in his Banishment, according to the Christian Wish of *Epiphanius*, *I hope you'll not die Bishop of* Constantinople; which *Chrysostom* returned with a Wish of the same good Temper, *I hope you'll not live to return to your own City*; so deadly was the Hatred of these Saints and Fathers against each other. After *Chrysostom*'s Death his Favourers and Friends were treated with great Severity, not indeed on the Account of Religion, but for other Crimes of Sedition they were charged with, and particularly, for burning down one of the Churches in the City, the Flames of which spread themselves to the Senate House and entirely consumed it.

Soz. l. 8. c. 6.

Soz. l. 8. c. 16.

Soc. l. 6. c. 18.

Under the same Emperors the Donatists gave sad Specimens of their Cruelty in *Africa* towards the Orthodox, as St. *Austin* informs us. They seized on *Maximianus*, one of the *African* Bishops, as he was standing at the Altar, beat him unmercifully, and ran a Sword into his Body, leaving him for dead. And a little after he adds, That it would be tedious to recount the many horrible Things they made the Bishops and Clergy suffer; some had their Eyes put out; one Bishop had his Hands and Tongue cut off, and others were cruelly destroyed. I forbear, says *Austin*, to mention their barbarous Murthers, and demolishing of Houses, not private ones only, but the very Churches themselves. *Honorius* published very severe Edicts against them, ordaining, That if they did not, both Clergy and Laity, return to the Catholicks by such a Day, they should be heavily fined, their Estates should be confiscated, the Clergy banished, and their Churches all given to the Catholicks. These Laws *Austin* commends as rightly and piously ordained, maintaining the Lawfulness of persecuting Hereticks by all manner of Ways, Death only excepted.

Epist. 50. ad Bon. & Epist. 68. ad Januar.

Cod. Theod. l. 52.

Under

Under the Reign of *Theodoſius*, *Arcadius* his Son, thoſe who were called Hereticks were grievouſly perſecuted by the Orthodox. *Theodoſius*, Biſhop of *Synnada* in *Phrygia*, expelled great Numbers of the Followers of *Macedonius* from the City and Country round about, *Not from any Zeal for the true Faith*, as *Socrates* ſays, *but through Covetouſneſs, and a Deſign to extort Money from them.* On this Account he uſed all his Endeavours to oppreſs them, and particularly *Agapetus* their Biſhop, armed his Clergy againſt them, and accuſed them before the Tribunal of the Judges. And becauſe he did not think the Governors of the Provinces ſufficient to carry on this good Work of Perſecution, he went to *Conſtantinople* to procure freſh Edicts againſt them; but by this means he loſt his Biſhoprick, the People refuſing him Admiſſion into the Church upon his return, and chuſing *Agapetus*, whom he had perſecuted, in his room. Soc. l. 7. c. 3.

*Theophilus*, Biſhop of *Alexandria*, the great Enemy of *Chryſoſtom*, being dead, *Cyrill* was enthroned in his room, not without great Diſturbance and Oppoſition from the People, and uſed his Power for the Oppreſſion of Hereticks; for immediately upon his Advancement, he ſhut up all the Churches of the *Novatians* in that City, took away all their ſacred Treaſures, and ſtripped *Theopemptus* their Biſhop, of every Thing that he had. Nor was this much to be wonder'd at, ſince, as *Socrates* obſerves, that from the Time of *Theophilus*, *Cyrill*'s Predeceſſor, *The Biſhop of* Alexandria *began to aſſume an Authority and Power above what belonged to the ſacerdotal Order.* On this Account the great Men hated the Biſhops, becauſe they uſurped to themſelves a good part of that Power which belonged to the imperial Governors of Provinces; and particularly, *Cyrill* was hated by *Oreſtes*, Prefect of *Alexandria*, not only for this Reaſon, but becauſe he was a continual Spy upon his Actions. At length their Hatred to each other publickly appeared. *Cyrill* took on him, without acquainting the Governor, or contrary to his leave, to deprive the *Jews* of all their Synagogues, and baniſhed them from the City, and encouraged the Mob to plunder them of their Effects. This the Prefect highly reſented, and refuſed the Biſhop's Offers of Peace and Friendſhip. Upon this about fifty Monks came into the City for *Cyrill*'s Defence, and meeting the Prefect in his Chariot publickly inſulted him, calling him Sacrificer and Pagan; adding many other injurious Reproaches. One of them, called *Ammonius*, wounded him in the Head with a Stone, which he flung at him with great Violence, and covered him all over with Blood; and being, according to the Laws, put by *Oreſtes* publickly to the Torture, he died through the Severity of it. St. *Cyrill* honourably received the Body into the Church, gave him the new Name of *Thaumaſius*, or, *The Wonderful*, ordered him to be looked on as a Martyr, and laviſhly extolled him in the Church, as a Perſon murthered for his Religion. This ſcandalous Procedure of *Cyrill*'s the Chriſtians themſelves were aſhamed of, becauſe 'twas publickly known, that the Monk was puniſhed for his Inſolence; and even St. *Cyrill* himſelf had the Modeſty at laſt to uſe his Endeavours that the whole Affair might be entirely forgotten. The Murther alſo of *Hypatia* by *Cyrill*'s Friends and Clergy, merely out of Envy to her ſuperior Skill in Philoſophy, brought him and his Church of *Alexandria* under great Infamy; for l. 7. c. 7. l. 7. c. 13, 14. Id. Ibid. c. 15.

as ſhe was returning home from a Viſit, one *Peter* a Clergyman, with ſome other Murtherers, ſeized on her, dragged her out of her Chariot, carried her to one of the Churches, ſtripped her naked, ſcraped her to Death with Shells, then tore her in pieces, and burnt her Body to Aſhes.

Soc. l. 7. c. 9. *Innocent* alſo, Biſhop of *Rome*, grievouſly perſecuted the *Novatians*, and took from them many Churches; and, as *Socrates* obſerves, was the firſt Biſhop of that See who diſturbed them. *Celeſtine* alſo, one of his Succeſſors, imitated this Injuſtice, and took from the *Novatians* the Remainder of their Churches,

c. 11. and forced them to hold their Aſſemblies in private; *For the Biſhops of* Rome, *as well as thoſe of* Alexandria, *had uſurped a tyrannical Power, which, as Prieſts, they had no right to*; and would not ſuffer thoſe who agreed with them in the Faith, as the *Novatians* did, to hold publick Aſſemblies, but drove them out of their Oratories, and plundered them of all their Subſtance.

*Neſtorius*, Biſhop of *Conſtantinople*, immediately upon his Advancement, ſhewed himſelf a violent Perſecutor; for as ſoon as ever he was ordained, he addreſſed himſelf to the Emperor before the whole Congregation, and ſaid,

c. 29. *Purge me, O Emperor, the Earth from Hereticks, and I will give thee in recompence the Kingdom of Heaven. Conquer with me the Hereticks, and I with thee will ſubdue the* Perſians. And agreeable to his bloody Wiſhes, the fifth Day after his Conſecration, he endeavoured to demoliſh the Church of the Arians, in which they were privately aſſembled for Prayer. The Arians in their Rage, ſeeing the Deſtruction of it determined, ſet Fire to it themſelves, and occaſioned the Burning down the neighbouring Houſes; and for this Reaſon not only the Hereticks, but thoſe of his own Perſuaſion, diſtinguiſhed him by the Name of *Incendiary*. But he did not reſt here, but tried all Tricks and Methods to deſtroy Hereticks; and by theſe Means endangered the Subverſion of *Conſtantinople* it ſelf. He perſecuted the *Novatians*, through hatred of *Paul* their Biſhop for his eminent Piety. He grievouſly oppreſſed thoſe who were not Orthodox as to the Day of keeping *Eaſter*, in *Aſia*, *Lydia*, and *Caria*, and occaſioned the Murthers of great Numbers on this Account, at *Miletus* and *Sardis*.

c. 2. Few indeed of the Biſhops were free from this wicked Spirit. *Socrates*, however, tells us, that *Atticus* Biſhop of *Conſtantinople* was a Perſon of great Piety and Prudence, and that he did not offer Violence to any of the Hereticks, but that after he had once attempted to terrify them, he behaved more mildly and

c. 41. gently to them afterwards. *Proclus* alſo, Biſhop of the ſame City, who had been brought up under *Atticus*, was a careful Imitator of his Piety and Virtue, and exerciſed rather greater Moderation than his Maſter, being gentle towards all Men, from a Perſwaſion, that this was a much more proper Method than Violence to reduce Hereticks to the true Faith, and therefore he never made uſe of the imperial Power for this purpoſe. And in this he imitated *Theodoſius* the Emperor, who was not at all concerned or diſpleaſed that any ſhould think differently of God from himſelf. However, the Number of Biſhops of this Temper was but ſmall. Nothing pleaſed the generality of them but Methods of Severity, and the utter Ruin and Extirpation of their Adverſaries.

Under

Under the Reign of this Emperor, the Arians alſo, in their Turn, uſed the Orthodox with no greater Moderation, than the Orthodox had uſed them. The *Vandals*, who were partly Pagans, and partly Arians, had ſeized on *Spain* and *Africa*, and exerciſed innumerable Cruelties on thoſe who were not of the ſame Religion with themſelves. *Traſimond* their General in *Spain*, and *Genſerick* in *Africa*, uſed all poſſible Endeavours to propagate Arianiſm throughout all their Provinces. And the more effectually to accompliſh this Deſign, they filled all Places with Slaughter and Blood, by the Advice of the Biſhops of their Party, burning down Churches, and putting the orthodox Clergy to the moſt grievous and unheard of Tortures, to make them diſcover the Gold and Silver of their Churches, repeating theſe kind of Tortures ſeveral times, ſo that many actually died under them. *Genſerick* ſeized on all the ſacred Books he could find, that they might be deprived of the Means of defending their Opinions. By the Counſel of his Biſhops, he ordered that none but Arians ſhould be admitted to Court, or employ'd in any Offices about his Children, or ſo much as enjoy the Benefit of a Toleration. *Armogeſtes*, *Maſculon*, and *Saturus*, three Officers of his Court, were inhumanly tortured to make them embrace Arianiſm; and, upon their refuſal, they were ſtripped of their Honours and Eſtates, and forced to protract a miſerable Life in the utmoſt Poverty and Want. Theſe and many more Inſtances of *Genſerick*'s Cruelty towards the Orthodox, during a long Reign of thirty eight Years, are related by *Victor*, *l.* 1. *in fine.*

During theſe Tranſactions, a new Controverſy, of a very extraordinary and important Nature, aroſe in the Church, which, as the other had done before, occaſioned many Diſorders and Murthers, and gave Birth to the third general Council. *Neſtorius*, the perſecuting Biſhop of *Conſtantinople*, altho' tolerably ſound in the Doctrine of the real Deity of the *Logos*, yet excepted againſt the Virgin *Mary*'s being called Θεοτοκος, i. e. *Mother of God*, becauſe, as he argued, *Mary was a Woman, and that therefore God could not be born of her*; adding, *I cannot call him God, who once was not above two or three Months old*; and therefore he ſubſtituted another Word in the room of it, calling her Χριστοτοκος, or *Mother of Chriſt*. By this Means, he ſeemed to maintain, not only the Diſtinction of the two Natures in Chriſt, for he allowed the proper Perſonality and Subſiſtence of the *Logos*, but that there were alſo two diſtinct Perſons in Chriſt; the one a mere Man, abſolutely diſtinct from the Word, and the other God, as abſolutely diſtinct from the human Nature. This cauſed great Diſturbances in the City of *Conſtantinople*, and the Diſpute was thought of ſuch Conſequence, as to need a Council to ſettle it. Accordingly *Theodoſius* convened one at *Epheſus*, *A. C.* 434. of which *Cyrill* was Preſident; and as he hated *Neſtorius*, he perſuaded the Biſhops of his own Party to decree, that the Virgin was, and ſhould be, the Mother of God, and to anathematiſe all who ſhould not confeſs her in this Character, nor own that the Word of God the Father was united ſubſtantially to the Fleſh, making one Chriſt of two Natures, both God and Man together; or who ſhould aſcribe what the Scriptures ſay of Chriſt, to two Perſons or Subſiſtences, interpreting ſome of the Man, excluſive

Evag. E. H. l. 1. c. 2. Soc. l. 7. c. 32, 34.

*Third general Council*, A. C. 434. Soc. Ibid. Evag. l. 1. c. 5.

excluſive of the Word; and others of the Word, excluſive of the human Nature; or who ſhould preſume to call the Man Chriſt Θεοτοκον, *the Bearer, or the Receptable of God*, inſtead of God; and haſtily to depoſe *Neſtorius* five Days before the coming of *John* Biſhop of *Antioch*, with his ſuffragran Biſhops. *John*, upon his Arrival at *Epheſus*, depoſed *Cyrill*, in a Council of Biſhops held for that Purpoſe, and accuſed him of being the Author of all the Diſorders occaſioned by this Affair, and of having raſhly proceeded to the Depoſition of *Neſtorius*. *Cyrill* was ſoon abſolved by his own Council, and, in Revenge, depoſed *John* of *Antioch*, and all the Biſhops of his Party. But they were both reconciled by the Emperor, and reſtored each other to their reſpective Sees, and, as the Effect of their Reconciliation, both ſubſcribed to the Condemnation of *Neſtorius*, who was ſent into Baniſhment, where, after ſuffering great Hardſhips, he died miſerably; being thus made to taſte thoſe Sweets of Perſecution, he had ſo liberally given to others, in the Time of his Power and Proſperity. The Emperor himſelf, though at firſt he diſapproved of this Council's Conduct, yet afterwards was perſuaded to ratify their Decrees, and publiſhed a Law, by which all who embraced the Opinions of *Neſtorius*, were, if Biſhops or Clergymen, ordered to be expelled the Churches; or if Laymen, to be anathematiſed. This occaſioned irreconcileable Hatreds amongſt the Biſhops and People, who were ſo enraged againſt each other; that there was no paſſing with any Safety from one Province or City to another, becauſe every one purſued his Neighbour as his Enemy, and, without any Fear of God, revenged themſelves on one another, under a Pretence of Eccleſiaſtical Zeal.

Evag. l. 1. c. 12.

Chal. Concil. Act. 10. Frag. Epiſt. Edeſ. Epic.

*Marcian*, the Succeſſor of *Theodoſius* in the Empire, embraced the Orthodox Party and Opinions, and was very deſirous to bring about an entire Uniformity in the Worſhip of God, and to eſtabliſh the ſame Form of Doxologies amongſt all Chriſtians whatſoever. Agreeably to this his Temper, *Euſebius*, Biſhop of *Nicomedia*, addreſs'd him ſoon after his Promotion in theſe Words: *God hath juſtly given you the Empire, that you ſhould govern all for the univerſal Welfare, and for the Peace of his holy Church: And therefore, before and in all Things, take Care of the Principles of the orthodox and moſt holy Faith, and extinguiſh the Roarings of the Hereticks, and bring to Light the Doctrines of Piety.* The Legates alſo of *Leo*, Biſhop of *Rome*, preſented him their Accuſations againſt *Dioſcorus*, Biſhop of *Alexandria*; as did alſo *Euſebius*, Biſhop of *Dorylæum*, beſeeching the Emperor that theſe Things might be judged and determined by a Synod. *Marcian* conſented, and ordered the Biſhops to meet firſt at *Nice*, and afterwards at *Chalcedon*. This was the fourth oecumenical or general Council, conſiſting of near ſix hundred Prelates. The principal Cauſe of their aſſembling was the *Eutychian* Hereſy. *Eutyches*, a Preſbyter of *Conſtantinople*, had aſſerted, in the Reign of *Theodoſius*, *jun.* that *Jeſus Chriſt conſiſted of two Natures before his Union or Incarnation, but that after this he had one Nature only.* He alſo denied that *the Body of Chriſt was of the ſame Subſtance with ours.* On this Account, he was depoſed by a particular Council at *Conſtantinople* by *Flavian*, Biſhop of that Place: But, upon his complaining to the Emperor that the

Evag. l. 2. c. 1.

Concil. Chalced. Act. 13.

Evag. l. 2. c. 2.

*The fourth general Council*, A. C. 454. l. 1. c. 9, 10.

Acts

Acts of that Council were falsified by his Enemies, a second Synod of the neighbouring Bishops met in the same City, who, after examining those Acts, found them to be genuine, and confirmed the Sentence against *Eutyches*. But *Dioscorus*, Bishop of *Alexandria*, who was at Enmity with *Flavian* of *Constantinople*, obtained, from *Theodosius*, that a third Council should be held on this Affair, which accordingly met at *Ephesus*, which the Orthodox stigmatised by the Name of Λησεικη, the thieving Council, or Council of Thieves. *Dioscorus* was President of it, and, after an Examination of the Affair of *Eutyches*, his Sentence of Excommunication and Deposition was taken off, and himself restored to his Office and Dignity, the Bishops of *Constantinople*, *Antioch*, and others, being deposed in his stead. But the condemned Bishops, and the Legates from *Rome*, appealed from this Sentence to another Council, and prevailed with *Theodosius* to issue his Letters for the assembling one: But as he died before they could meet, the Honour of determining this Affair was reserved for his Successor *Marcian*; and when the Fathers, in Obedience to his Summons, were convened at *Chalcedon*, the Emperor favoured them with his Presence; and, in a Speech to them, told them, *That he had nothing more at Heart than to preserve the true and orthodox Christian Faith, safe and uncorrupted, and that therefore he proposed to them a Law, that no one should dare to dispute of the Person of Christ, otherwise than as it had been determined by the Council of* Nice. After this Address of the Emperor, the Fathers proceeded to their synodical Business, and, notwithstanding the Synod was divided, some of the Fathers piously crying out, *Damn* Dioscorus, *banish* Dioscorus, *banish the* Ægyptian, *banish the Heretick*, *Christ hath deposed* Dioscorus; others, on the contrary, *Restore* Dioscorus *to the Council*, *restore* Dioscorus *to his Churches*; yet, through the Authority of the Legates of *Rome*, *Dioscorus* was deposed for his Contempt of the sacred Canons, and for his Contumacy towards the holy universal Synod. After this, they proceeded to settle the Faith according to the *Nicene* Creed, the Opinions of the Fathers, and the Doctrine of *Athanasius*, *Cyrill*, *Cœlestine*, *Hilarius*, *Basil*, *Gregory*, and *Leo*; and decreed, that *Christ was truly God, and truly Man, consubstantial to the Father as to his Deity, and consubstantial to us as to his Humanity, and that he was to be confessed as consisting of two Natures without Mixture, Conversion of one into the other, and without Division or Separation; and that it should not be lawful for any Persons to utter, or write, or compose, or think, or teach any other Faith whatsoever*; and that if any should presume to do it, they should, if Bishops or Clergymen, be deposed; and if Monks or Laicks, be anathematised. This procured a loud Acclamation: *God bless the Emperor, God bless the Empress. We believe as Pope* Leo *doth. Damn the Dividers and the Confounders. We believe as* Cyrill *did: Immortal be the Name of* Cyrill. *Thus the Orthodox believe; and cursed be every one that doth not believe so too.* *Marcian* ratified their Decrees, and banished *Dioscorus*, and put forth an Edict, containing very severe Penalties against the *Eutychians* and *Apollinarists*, commanding that no one whatsoever, either of the Clergy or Laity, should publickly dispute about Religion, under Pain of Banishment, and Loss of all Honours, Dignities, Orders, &c. For this Reason, Pope *Leo* returns

Evag. l. 2. c. 4, 18.

Evag. l. 2. c. 5. *Hist. of the Inquisition*, l. 1. c. 3.

Auguſt. Epiſt. 75. returns him Thanks, that he had deſtroy'd theſe Hereſies, and exhorts him farther, that he would reform the See of *Alexandria*, and not only depoſe the heretical Clergy of *Conſtantinople* from their clerical Orders, but expel them from the City it ſelf.

Evag. l. 2. c. 5. *Proterius* was ſubſtituted by this Council Biſhop of *Alexandria*, in the room of *Dioſcorus*; and, upon his taking Poſſeſſion of his Biſhoprick, the whole City was put into the utmoſt Confuſion, being divided, ſome for *Dioſcorus*, ſome for *Proterius*. The Mob aſſaulted with great Violence their Magiſtrates, and being oppoſed by the Soldiers, they put them to flight by a Shower of Stones; and as they betook themſelves to one of the Churches for Sanctuary, the Mob beſieged it, and burnt it to the Ground, with the Soldiers in it. The Emperor ſent two thouſand other Soldiers to quel this Diſturbance, who encreaſed the Miſeries of the poor Citizens, by offering the higheſt Indignities to their Wives and Daughters. And though they were for ſome Time kept in Awe, yet, upon *Marcian*'s Death, they broke out into greater Fury, ordained *Timotheus* Biſhop of the City, and murthered *Proterius*, by running him through with a Sword. After this, they hung him by a Rope, in a publick Place, by way of Deriſion, and then, after they had ignominiouſly drawn him round the whole City, they burnt him to Aſhes, and even fed on his very Bowels in the Fury of their Revenge. The Orthodox charged theſe Outrages upon the *Eutychians*; but *Zacharias*, the Hiſtorian, mentioned by *Evagrius*, ſays, *Proterius* himſelf was the Cauſe of them, and that he raiſed the greateſt Diſturbances in the City: And, indeed, the Clergy of *Alexandria*, in their Letter to *Leo*, the Emperor, concerning this Affair, acknowledge, that *Proterius* had depoſed *Timotheus*, with four or five Biſhops, and ſeveral Monks, for Hereſy, and obtained of the Emperor their actual Baniſhment.

Niceph. l. 15. c. 8.

Evag. l. 2. c. 8.

c. 5. Great Diſturbances happened alſo in *Paleſtine* on the ſame Account; the Monks who oppoſed the Council forcing *Juvenal*, Biſhop of *Jeruſalem*, to quit his See, and getting one *Theodoſius* ordained in his room. But the Emperor ſoon reſtored *Juvenal*, after whoſe Arrival the Tumults and Miſeries of the City greatly encreaſed, the different Parties acting by one another juſt as their Fury and Revenge inſpired them.

c. 9, 10. *Leo* ſucceeded *Marcian*, and ſent circular Letters to the ſeveral Biſhops, to make Enquiries concerning the Affairs of *Alexandria*, and the Council of *Chalcedon*. Moſt of the Biſhops adhered to the Decrees of thoſe Fathers, and agreed to depoſe *Timotheus*, who was ſent to bear *Dioſcorus* Company in Baniſhment.

Under *Zeno*, the Son-in-Law, and Succeſſor of *Leo*, *Hunnerick* the *Vandal* grievouſly perſecuted the Orthodox in *Africa*. In the Beginning of his Reign, he made a very equitable Propoſal, that he would allow them the Liberty of chooſing a Biſhop, and worſhipping according to their own Way, provided the Emperor would grant the Arians the ſame Liberty in *Conſtantinople*, and other Places. This the Orthodox would not agree to, chooſing rather to have their own Brethren perſecuted, than to allow Toleration to ſuch as differed from them. *Hunnerick* was greatly enraged by this Refuſal, and exerciſed

ciſed great ſeverity towards all who would not profeſs the Arian Faith, being excited hereto by *Cyrill* one of his Biſhops, who was perpetually ſuggeſting to him, that the Peace and Safety of his Kingdom could not be maintained, unleſs he extirpated all who differed from him as publick Nuſances. This cruel eccleſiaſtical Advice was agreeable to the King's Temper, who immediately put forth the moſt ſevere Edicts againſt thoſe who held the Doctrine of the Conſubſtantiality, and turned all thoſe Laws which had been made againſt the Arians, and other Hereticks, againſt the Orthodox themſelves, it being, as *Hunnerick* obſerves in his Edict, *an Inſtance of Virtue in a King, to turn evil Counſels againſt thoſe who were the Authors of them.* But though the Perſecution carried on by the Orthodox was no Vindication of *Hunnerick*'s Cruelty towards them, yet I think they ought to have obſerved the Juſtice of divine Providence, in ſuffering a wicked Prince to turn all thoſe unrighteous Laws upon themſelves, which, when they had Power on their ſide, they had procured for the Puniſhment and Deſtruction of others. A particular Account of the Cruelties exerciſed by this Prince may be read at large in *Victor de Vandal Perſec.* l. 3.

*Zeno*, though perfectly Orthodox in his Principles, yet was a very wicked and profligate Prince, and rendered himſelf ſo extremely hateful to his own Family, by his Vices and Debaucheries, that *Baſiliſcus*, Brother of *Verina*, Mother of *Zeno*'s Empreſs, expelled him the Empire, and reigned in his ſtead; and having found by Experience, that the Decrees of the Council of *Chalcedon* had occaſioned many Diſturbances, he by an Edict ordained, that the *Nicene* Creed alone ſhould be uſed in all Churches, as being the only Rule of the pure Faith, and ſufficient to remove every Hereſy, and perfectly to unite all the Churches; confirming at the ſame Time the Decrees of the Councils of *Conſtantinople* and *Epheſus*. But as to thoſe of the Council of *Chalcedon* he ordered, that as they had deſtroyed the Unity and good Order of the Churches, and the Peace of the whole World, they ſhould be anathematized by all the Biſhops; and that where-ever any Copies of thoſe Articles ſhould be found they ſhould be immediately burnt. And that whoſoever after this ſhould attempt, either by Diſpute or Writing, or Teaching, at any Time, Manner or Place, to utter, or ſo much as name the Novelties that had been agreed on at *Chalcedon* contrary to the Faith, ſhould, as the Authors of Tumults and Seditions in the Churches of God, and as Enemies to God and himſelf, be ſubject to all the Penalties of the Laws, and be depoſed, if Biſhops or Clergymen; and if Monks or Laicks, be puniſhed with Baniſhment, and Confiſcation of their Effects, and even with Death it ſelf. Moſt of the eaſtern Biſhops ſubſcribed theſe Letters of *Baſiliſcus*; and being afterwards met in Council at *Epheſus*, they depoſed *Acacius* the orthodox Biſhop of *Conſtantinople*, and many other Biſhops that agreed with him. They alſo wrote to the Emperor to inform him, That *they had voluntarily ſubſcribed his Letters*; and to perſuade him to adhere to them, or that otherwiſe *the whole World would be ſubverted, if the Decrees of the Synod of* Chalcedon *ſhould be re-eſtabliſhed, which had already produced innumerable Slaughters, and occaſioned the ſhedding of the Blood of the orthodox Chriſtians.* But *Acacius*,

Evag. l. 3. c. 4.

l. 3. c. 5.

Biſhop of *Conſtantinople*, ſoon forced *Baſiliſcus* to alter his Meaſures, by raiſing up the Monks and Mob of the City againſt him; ſo that he recalled his former Letters, and ordered *Neſtorius* and *Eutyches*, with all their Followers, to be anathematized, and ſoon after he quitted the Empire to *Zeno*. Upon his
Evag. l. 3. c. 8, 9. Reſtoration he immediately reſcinded the Acts of *Baſiliſcus*, and expelled thoſe Biſhops from their Sees which had been ordained during his Abdication. In the mean Time the *Aſiatick* Biſhops, who in their Letter to *Baſiliſcus* had declared, that the Report of their *ſubſcribing involuntarily, and by force, was a Slander and a Lye*; yet upon this Turn of Affairs, in order to excuſe themſelves to *Acacius*, and to ingratiate themſelves with *Zeno*, affirm, *That they did it not voluntarily, but by force, ſwearing that they had always, and did now believe the Faith of the Synod of* Chalcedon. *Evagrius* leaves it in doubt, whether *Zacharias* defamed them, or whether the Biſhops lyed, when they affirmed that they ſubſcribed involuntarily, and againſt their Conſciences.

c. 13. *Zeno* obſerving the Diſputes that had ariſen through the Decrees of the laſt
c. 14. Council, publiſhed his *Henoticon*, or his *uniting and pacifick Edict*, in which he confirmed the *Nicene*, *Conſtantinopolitan*, and *Epheſine* Councils, ordained that the *Nicene* Creed ſhould be the Standard of Orthodoxy, declared that neither himſelf nor the Churches have, or had, or would have any other Symbol or Doctrine but that, condemned *Neſtorius* and *Eutyches*, and their Followers; and ordered, that whoſoever had, or did think otherwiſe, either now or formerly, whether at *Chalcedon* or any other Synod, ſhould be anathematized. The Intention of the Emperor by this Edict, was plainly to reconcile the Friends and Oppoſers of the Synod of *Chalcedon*; for he condemned *Neſtorius* and *Eutyches*, as that Council had done, but did not anathematize thoſe who would not receive their Decrees, nor ſubmit to them as of equal Authority with thoſe of the three former Councils: But this Compromiſe was far from having the deſired effect.

c. 11, 12. During theſe Things ſeveral Changes happen'd in the Biſhoprick of *Alexandria*. *Timothy*, Biſhop of that Place being dead, one *Peter Mongus* was elected by the Biſhops Suffragans of that See, which ſo enraged *Zeno*, that he intended to have put him to Death, but changed it for Baniſhment, and *Timothy*, Succeſſor of *Proterius*, was ſubſtituted in his room. Upon *Timothy*'s Death *John*, a Preſbyter of that Church, obtained the Biſhoprick by Symony, and in Defiance of an Oath he had taken to *Zeno*, that he would never procure himſelf to be elected into that See. Upon this he was expelled, and *Mongus* reſtored by the Emperor's Order. *Mongus* immediately conſented, and ſubſcribed to the pacifick Edict, and received into Communion thoſe who had formerly been
c. 16. of a different Party. Soon after this he was accuſed by *Calendio* Biſhop of *Antioch* for Adultery, and for having publickly anathematized the Synod of *Chal-*
c. 17. *cedon* at *Alexandria*; and though this latter Charge was true, yet he ſolemnly denied it in a Letter to *Acacius* Biſhop of *Conſtantinople*, turning with the Time, condemning and receiving it, juſt as it ſuited his Views, and ſerved his Intereſt.
c. 20, 21. But being at laſt accuſed before *Felix* Biſhop of *Rome*, he was pronounced an Heretick, excommunicated, and anathematized.

*Anaſta-*

*Anaſtaſius*, who ſucceeded *Zeno*, was himſelf a great Lover of Peace, and endeavoured to promote it, both amongſt the Clergy and Laity, and therefore ordered, that there ſhould be no Innovations in the Church whatſoever. But this Moderation was by no means pleaſing to the Monks and Biſhops. Some of them were great Sticklers for the Council of *Chalcedon*, and would not allow ſo much as a Syllable or a Letter of their Decrees to be altered, nor communicate with thoſe who did not receive them. Others were ſo far from ſubmitting to this Synod, and their Determinations, that they anathematized it; whilſt others adhered to *Zeno*'s *Henoticon*, and maintained Peace with one another, even though they were of different Judgment concerning the Nature of Chriſt. Hence the Church was divided into Factions, ſo that the Biſhops would not communicate with each other. Not only the Eaſtern Biſhops ſeparated from the Weſtern; but thoſe of the ſame Provinces had Schiſms amongſt themſelves. The Emperor, to prevent as much as poſſible theſe Quarrels, baniſhed thoſe who were moſt remarkably troubleſome from their Sees, and particularly the Biſhops of *Conſtantinople* and *Antioch*, forbidding all Perſons to preach either for or againſt the Council of *Chalcedon*, in any Places where it had not been uſual to do it before; that by allowing all Churches their ſeveral Cuſtoms, he might prevent any Diſturbances upon account of Innovations. But the Monks and Biſhops prevented all theſe Attempts for Peace, by forcing one another to make new Confeſſions and Subſcriptions, and by anathematizing all who differed from them as Hereticks; ſo that by their ſeditious and obſtinate Behaviour they occaſioned innumerable Quarrels and Murthers in the Empire. They alſo treated the Emperor himſelf with great Inſolence, and excommunicated him as an Enemy to the Synod of *Chalcedon*. *Macedonius*, Biſhop of *Conſtantinople*, and his Clergy, raiſed the Mob of that City againſt him, only for adding to one of their Hymns theſe Words, *Who was crucified for us*. And when for this Reaſon *Macedonius* was expelled his Biſhoprick, they urged on the People to ſuch an height of Fury as endangered the utter Deſtruction of the City; for in their Rage they ſet Fire to ſeveral Places in it, cut off the Head of a Monk, crying out, he was *an Enemy of the Trinity*; and were not to be appeaſed till the Emperor himſelf went amongſt them without his imperial Diadem, and brought them to Temper by proper Submiſſions and Perſuaſions. And though he had great Reaſon to be offended with the Biſhops for ſuch Uſage, yet he was of ſo human and tender a Diſpoſition, that though he ordered ſeveral of them to be depoſed for various Offences, yet apprehending that it could not be effected without Bloodſhed, he wrote to the Prefect of *Aſia*, *Not to do any Thing in the Affair, if it would occaſion the ſhedding a ſingle Drop of Blood.*

Evag. l. 3. c. 30. c. 31, 32. c. 44. c. 34.

Under this Emperor *Symmachus* Biſhop of *Rome* expelled the *Manichees* from the City, and ordered their Books to be publickly burnt before the Doors of the Church.

Platin.

*Juſtin* was more zealous for Orthodoxy than his Predeceſſor *Anaſtaſius*, and in the firſt Year of his Reign gave a very ſignal Proof of it. *Severus*, Biſhop of *Antioch*, was warm againſt the Council of *Chalcedon*, and continually anathematizing it in the Letters he wrote to ſeveral Biſhops; and becauſe the People

Evag. l. 3. c. 4, 9.

quarrelled on this Account, and divided into ſeveral Parties, *Juſtin* ordered the Biſhop to be apprehended, and his Tongue to be cut out, and commanded that the Synod of *Chalcedon* ſhould be preached up through all the Churches of the Empire. *Platina* alſo tells us, that he baniſhed the Arians, and gave their Churches to the Orthodox. *Hormiſda* alſo, Biſhop of *Rome*, in imitation of his Predeceſſor *Symmachus*, baniſhed the Remainder of the *Manichees*, and cauſed their Writings to be burnt.

In vit. Johan. 1. Platin.

Evag. l. 3. c. 11. *Juſtinian*, his Succeſſor in the Empire, ſucceeded him alſo in his Zeal for the Council of *Chalcedon*, and baniſhed the Biſhops of *Conſtantinople* and *Antioch*, becauſe they would not obey his Orders, and receive the Decrees of that Synod. He alſo publiſhed a Conſtitution, by which he anathematized them and all their Followers, and ordered, that whoſoever ſhould preach their Opinions ſhould be ſubject to the moſt grievous Puniſhments. By this means nothing was openly preached in any of the Churches but this Council; nor did any one dare to anathematize it. And whoſoever were of a contrary Opinion, they were compelled by innumerable Methods to come into the Orthodox Faith.

Paul. Diacon. c. 16. In the third Year of his Reign he publiſhed a Law, ordering that there ſhould be no Pagans, nor Hereticks, but orthodox Chriſtians only, allowing to Hereticks three Months only for their Converſion. By another he deprived Hereticks of the Right of Succeſſion. By another he rendered them incapable of being Witneſſes in any Trial againſt Chriſtians. He prohibited them alſo from baptizing any Perſons, and from tranſcribing heretical Books under the Penalty of having the Hand cut off. Theſe Laws were principally owing to the Perſuaſions of the Biſhops. Thus *Agapetus*, Biſhop of *Rome*, who had condemned *Anthimus*, and depoſed him from his See of *Conſtantinople*, perſuaded *Juſtinian* to baniſh all thoſe whom he had condemned for Hereſy.

Cod. de Hæret. Novel. 42. c. 1.

Platin. *Pelagius* alſo deſired, that Hereticks and Schiſmaticks might be puniſhed by the ſecular Power, if they would not be converted. The Emperor was too ready to comply with this Advice. But notwithſtanding all this Zeal for Orthodoxy, and the cruel Edicts publiſhed by him for the Extirpation of Hereſy, he was infamouſly Covetous, ſold the Provinces of the Empire to Plunderers and Oppreſſors, ſtripped the Wealthy of their Eſtates upon falſe Accuſations and forged Crimes, and went Partners with common Whores in their Gains of Proſtitution; and what is worſe, in the Eſtates of thoſe whom thoſe Wretches falſely accuſed of Rapes and Adultery. And yet, that he might appear as Pious as he was Orthodox, he built out of theſe Rapines and Plunders many ſtately and magnificent Churches; many religious Houſes for Monks and Nuns, and Hoſpitals for the Relief of the Aged and Infirm. *Evagrius* alſo charges him with more than beſtial Cruelty in the Caſe of the *Venetians*, whom he not only allowed, but even by Rewards encouraged to murther their Enemies at Noon-day, in the very Heart of the City, to break open Houſes, and plunder the Poſſeſſors of their Riches, forcing them to redeem their Lives at the Expence of all they had. And if any of his Officers puniſhed them for theſe Violences, they were ſure to be puniſhed themſelves with Infamy or Death. And that each ſide might taſte of his Severities, he afterwards turned

Evag. l. 4. c. 30. c. 32.

his

his Laws againſt the *Venetians*, putting great Numbers of them to Death, for thoſe very Murthers and Violences he had before encouraged and ſupported.

During his Reign, in the 24th Year of it, was held the fifth general Council at *Conſtantinople*, conſiſting of about 165 Fathers. The Occaſion of their Meeting was the Oppoſition that was made to the four former general Councils, and particularly the Writings of *Origen*, which *Euſtochius*, Biſhop of *Jeruſalem* accuſed, as full of many dangerous Errors. In the firſt Seſſions it was debated, Whether *thoſe who were dead were to be anathematized?* One *Eutychius* looked with Contempt on the Fathers for their Heſitation in ſo plain a Matter, and told them, that there needed no Deliberation about it; for that King *Joſias* formerly did not only deſtroy the idolatrous Prieſts who were living, but dug alſo thoſe who had been dead long before out of their Graves. So clear a Determination of the Point, who could reſiſt? The Fathers immediately were convinced, and *Juſtinian* cauſed him to be conſecrated Biſhop of *Conſtantinople*, in the Room of *Menas*, juſt deceas'd, for this his Skill in Scripture and Caſuiſtry. The Conſequence was, that the Decrees of the four preceeding Councils were all confirmed; thoſe who were condemned by them re-condemned and anathematized, particularly *Theodorus* Biſhop of *Mopſueſtia*, and *Ibas*, with their Writings, as favouring the Impieties of *Neſtorius*; and finally, *Origen*, with all his deteſtible and execrable Principles, and all Perſons whatſoever who ſhould think, or ſpeak of them, or dare to defend them. After theſe Tranſactions the Synod ſent an Account of them to *Juſtinian*, whom they complimented with the Title of *the moſt Chriſtian King, and with having a Soul partaker of the heavenly Nobility*. And yet ſoon after theſe Flatteries his moſt Chriſtian Majeſty turned Heretick himſelf, and endeavoured with as much Zeal to propagate Hereſy as he had done Othodoxy before: He publiſhed an Edict, by which he ordained, That *the Body of Chriſt was incorruptible, and incapable even of natural and innocent Paſſions; that before his Death he eat in the ſame manner as he did after his Reſurrection, receiving no Converſion or Change from his very Formation in the Womb, neither in his voluntary or natural Affections, nor after his Reſurrection.* But as he was endeavouring to force the Biſhops to receive his Creed, God was pleaſed, as *Evagrius* obſerves, to cut him off, and notwithſtanding *the heavenly Nobility of his Soul, he went*, as the ſame Author charitably ſuppoſes, *to the Devil.*

*The Fifth general Council*, A. C. 551.

Evag. l. 4. c. 38.

c. 39.

c. 41.

l. 5. c. 1.

*Hunnerick*, the Arian King of the *Vandals*, treated the Orthodox in this Emperor's Reign with great Cruelty in *Africa*, becauſe they would not embrace the Principles of *Arius*; ſome he burnt, and others he deſtroyed by different Kinds of Death; he ordered the Tongues of ſeveral of them to be cut out, who afterwards made their Eſcape to *Conſtantinople*, where *Procopius*, if you will believe him, affirms he heard them ſpeak as diſtinctly as if their Tongues had remained in their Heads. *Juſtinian* himſelf mentions them in one of his Conſtitutions. Two of them however, who happen'd to be Whore-Maſters, loſt afterwards on this Account, the Uſe of their Speech, for this Reaſon, and the Honour and Grace of Martyrdom.

l. 4. c. 14.

*Juſtin*

Evag. l. 5. c. 1. *Juſtin* the younger, who ſucceeded *Juſtinian*, publiſhed an Edict ſoon after his Advancement, by which he ſent all Biſhops to their reſpective Sees, and to perform divine Worſhip according to the uſual Manner of their Churches, without making any Innovations concerning the Faith. As to his perſonal Character, he was extremely diſſolute, and debauched, and addicted to the moſt vile and criminal Pleaſures. He was alſo ſordidly Covetous, and ſold the very Biſhopricks to the beſt Bidders, putting them up to publick Auction. Nor was c. 2. he leſs remarkable for his Cruelty: He had a near Relation of his own Name, whom he treacherouſly murthered, and of whom he was ſo jealous, that he could not be content till he and his Empreſs had trampled his Head under their c. 3. Feet. However, he was very Orthodox, and publiſhed a new Explication of the Faith, which for Clearneſs and Subtlety exceeded all that went before it. In this he profeſſes, That *he believed in Father, Son, and Holy Spirit, the Conſubſtantial Trinity, one Deity, or Nature, or Eſſence, in one Virtue, Power and Energy, in three Hypoſtaſes or Perſons; and that he adored the Unity in Trinity, and the Trinity in Unity, having a moſt admirable Difference and Union; the Unity according to the Eſſence or Deity; the Trinity according to the Properties, Hypoſtaſes or Perſons; for they are divided indiviſibly; or if I may ſo ſpeak, they are joined together ſeparately. The Godhead in the Three is One, and the Three are One, the Deity being in them; or to ſpeak more accurately, the Three are the Deity, God the Father, God the Son, and God the Holy Ghoſt, each Perſon being conſidered by itſelf, the Mind thus ſeparating Things inſeparable; the Three being underſtood to be together God, being one in Operation and Nature. We believe alſo in one only begotten Son of God, the Word ——— for the Holy Trinity receives no Addition of a fourth Perſon, even after the Incarnation of God the Word, one of the holy Trinity. But our Lord Jeſus Chriſt is one and the ſame, Conſubſtantial to God, even the Father, according to his Deity, and Conſubſtantial to us according to his Manhood. He ſuffered in the Fleſh, but was impaſſible in the Deity. For we do not own that God the Word who wrought the Miracles was one, and he that ſuffered another; but we confeſs that our Lord Jeſus Chriſt, the Word of God, was one and the ſame, who was made Fleſh and became perfect Man; and that the Miracles and Sufferings were of one and the ſame: For it was not a Man that gave himſelf for us, but God the Word himſelf, being made Man without change; ſo that when we confeſs our Lord Jeſus Chriſt to be one and the ſame, compounded of each Nature, of the Godhead and Manhood, we do not introduce any Confuſion or Mixture by the Union ——— for as God remains in the Manhood, ſo alſo nevertheleſs doth the Man, being in the Excellency of the Deity,* Emanuel *being both in one and the ſame, even one God and alſo Man. And when we confeſs him to be perfect in the Godhead, and perfect in the Manhood, of which he is compounded, we don't introduce a Diviſion in part, or Section to his one compounded Perſon, but only ſignify the Difference of the Natures, which is not taken away by the Union; for the divine Nature is not converted into the human, nor the human Nature changed into the divine. But we ſay, that each being conſidered, or rather actually exiſting in the very Definition or Reaſon of its proper Nature, conſtitute the Oneneſs in Perſon. Now this Oneneſs as to Perſon ſignifies that God the Word,* i. e. *one Perſon of the three Perſons of the Godhead was not united to a pre-exiſtent Man, but that he formed to himſelf in the*

*the Womb of our holy Lady* Mary, *glorious Mother of God, and ever a Virgin, and out of her, in his own Perſon, Fleſh conſubſtantial to us, and liable to all the ſame Paſſions, without Sin, animated with a reaſonable and intellectual Soul.* —— *For conſidering his inexplicable Oneneſs, we orthodoxly confeſs one Nature of God the Word made Fleſh, and yet conceiving in our Minds the Difference of the Natures, we ſay they are two, not introducing any Manner of Diviſion. For each Nature is in him, ſo that we confeſs him to be one and the ſame Chriſt, one Son, one Perſon, one Hypoſtaſis, God and Man together. Moreover, we anathematize all who have, or do think otherwiſe, and judge them as cut off from the holy Catholick, and apoſtolick Church of God.* To this extraordinary Edict, all, ſays the Hiſtorian, gave their Conſent, eſteeming it to be very Orthodox, though they were not more united amongſt themſelves than before.

Under *Mauritius*, *John* Biſhop of *Conſtantinople*, in a Council held at that City, ſtiled himſelf Oecumenical Biſhop, by the Conſent of the Fathers there aſſembled; and the Emperor himſelf ordered *Gregory* to acknowledge him in that Character. *Gregory* abſolutely refuſed it, and replied, that the Power of binding and looſing was delivered to *Peter* and his Suceſſors, and not to the Biſhops of *Conſtantinople*; admoniſhing him to take care, that he did not provoke the Anger of God againſt himſelf, by raiſing Tumults in his Church. This Pope was the firſt who ſtiled himſelf, *Servus Servorum Dei*, Servant of the Servants of God; and had ſuch an Abhorrence of the Title of Univerſal Biſhop, that he ſaid, *I confidently affirm, that whoſoever calls himſelf univerſal Prieſt is the Forerunner of Antichriſt, by thus proudly exalting himſelf above others.* Platin in vit. Greg. I. l. 6. Epiſt. 194.

But however modeſt *Gregory* was in refuſing and condemning this arrogant Title, *Boniface* III. thought better of the Matter, and after great ſtruggles, prevailed with *Phocas*, who murthered *Mauritius* the Emperor, to declare, that the See of the bleſſed Apoſtle *Peter*, which is the Head of all Churches, ſhould be ſo called and accounted by all, and the Biſhop of it Oecumenical or univerſal Biſhop. The Church of *Conſtantinople* had claimed this Precedence and Dignity, and was ſometimes favoured herein by the Emperors, who declared, that the firſt See ought to be in that Place which was the Head of the Empire. The *Roman* Pontiffs, on the other hand, affirmed, that *Rome*, of which *Conſtantinople* was but a Colony, ought to be eſteemed the Head of the Empire, becauſe the *Greeks* themſelves, in their Writings, ſtile the Emperor, *Roman* Emperor, and the Inhabitants of *Conſtantinople* are called *Romans* and not *Greeks*; not to mention, that *Peter*, the Prince of the Apoſtles, gave the Keys of the Kingdom of Heaven to his Succeſſors, the Popes of *Rome*. On this Foundation was the Superiority of the Church of *Rome* to that of all other Churches built; and *Phocas*, who was guilty of all Villanies, was one of the fitteſt Perſons that could be found to gratify *Boniface* in this Requeſt. *Boniface* alſo called a Council at *Rome*, where this Supremacy was confirmed, and by whom it was decreed, that Biſhops ſhould be choſen by the Clergy and People, approved by the Prince of the City, and ratified by the Pope with theſe Words, *Volumus & jubemus*, For this is our Will and Command. To reward *Phocas* for the Grant of the Primacy, he approved the Murther of *Mauritius*, and very Platin in vit. Bonif. III.

honourably received his Images, which he ſent to *Rome*. And having thus wickedly poſſeſſed themſelves of this unrighteous Power, the Popes as wickedly uſed it, ſoon brought almoſt the whole Chriſtian World into ſubjection to them, and became the Perſecutors General of the Church of God; proceeding from one Uſurpation to another, till at laſt they brought Emperors, Kings and Princes into ſubjection, forcing them to ratify their unrighteous Decrees, and to puniſh, in the ſevereſt Manner, all that ſhould preſume to oppoſe and contradict them, till ſhe became *drunken with the Blood of the Saints, and with the Blood of the Martyrs of Jeſus.* Babylon *the great, the Mother of Harlots, and Abominations of the Earth.*

The Inquiſition is the Maſter-piece of their Policy and Cruelty; and ſuch an Invention for the Suppreſſion of Religion and Truth, Liberty and Knowledge, Innocence and Virtue, as could proceed from no other Wiſdom but that which is *earthly, ſenſual, and deviliſh.* And as the Hiſtory of it, which I now preſent my Reader with in his own Language, gives the moſt perfect Account of the Laws and Practices of this accurſed Tribunal, I ſhall not enter into the Detail of popiſh Perſecutions, eſpecially as we have a full Account of thoſe practiſed amongſt our ſelves in *Fox* and other Writers, who have done Juſtice to this Subject. I ſhall only add a few Things relating to the two other general Councils, as they are ſtiled by Eccleſiaſtical Hiſtorians.

Plat. in vit. Honorii I. Under *Heraclius*, the Succeſſor of *Phocas*, great Diſturbances were raiſed upon Account of what they called the Hereſy of the *Monothelites*, i. e. thoſe who held there were not two Wills, the Divine and Human, in Chriſt, but only one ſingle Will or Operation. The Emperor himſelf was of this Opinion, being perſuaded into it by *Pyrrhus* Patriarch of *Conſtantinople*, and *Cyrus* Biſhop of *Alexandria*. And though he afterwards ſeems to have changed his Mind in this Point, yet in order to promote Peace, he put forth an Edict, forbidding Diſputes or Quarrels, on either ſide the Queſtion. *Conſtans*, his Grandſon, was of the ſame Sentiment, and at the Inſtigation of *Paul* Biſhop of *Conſtantinople*, grievouſly perſecuted thoſe who would not agree with him.

Plat. in vit. Mart. *Martyn*, Pope of *Rome*, ſent his Legates to the Emperor and Patriarch to forſake their Errors, and embrace the Truth; but his Holineſs was but little regarded, and after his Legates were impriſoned and whipped, they were ſent into Baniſhment. This greatly enraged *Martyn*, who convened a Synod at *Rome* of 150 Biſhops, who decreed, that whoſoever ſhould *not confeſs two Wills, and two Operations united, the Divine and the Human, in one and the ſame Chriſt, ſhould be anathema*, and that *Paul* Biſhop of *Conſtantinople*, ſhould be condemned and depoſed. The Emperor highly reſented this Conduct, and ſent *Olympius Hexarch* into *Italy* to propagate the *Monothelite* Doctrine; and either to kill *Martyn*, or ſend him Priſoner to *Conſtantinople*. *Olympius* not being able to execute either Deſign, *Theodorus* was ſent in his room, who apprehended the Pope, put him in Chains, and got him conveyed to the Emperor, who after ignominiouſly treating him, baniſhed him to *Pontus*, where he died in great Miſery and Want. The Biſhops of *Conſtans*'s Party were greatly aſſiſtant to him in this Work of Perſecution, and ſhewed more Rage againſt their

Act. 15, 6. Conſtant. Tom. Conſil. 2.

Fellow-Chriſtians, than they did againſt the very Barbarians themſelves.

*Conſtantine*, the Eldeſt Son of *Conſtans*, cut off his two younger Brothers Noſes, that they might not ſhare the Empire with him; but however happened to be more Orthodox than his Predeceſſors; and by the Perſuaſion of *Agatho*, Pope of *Rome*, convened the Sixth General Council at *Conſtantinople*, in which were preſent 289 Biſhops. The Fathers of this holy Synod complimented the Emperor with being *another* David, *raiſed up by Chriſt, their God, a Man after his own Heart; who had not given Sleep to his Eyes, nor Slumber to his Eye-lids, till he had gathered them together, to find out the perfect Rule of Faith.* After this they condemned the Hereſy of one Will in Chriſt, and declared, *That they glorified two natural Wills and Operations, indiviſibly, inconvertibly, without Confuſion, and inſeparably in the ſame Lord Jeſus Chriſt, our true God*, i. e. *the divine Operation, and the human Operation.* So that now the Orthodox Faith in Reference to Chriſt was this; That *he had two Natures, the divine and human; that theſe two Natures were united, without Confuſion, into one ſingle Perſon; and that in this one ſingle Perſon, there were two diſtinct Wills and Operations, the human and divine.* Thus, at laſt, 681 Years after Chriſt, was the Orthodox Faith, relating to his Deity, Humanity, Nature and Wills, decided and ſettled by this Synod; who, after having pronounced Anathemas againſt the Living and Dead, ordered the Burning of heretical Books, and deprived ſeveral Biſhops of their Sees; procured an Edict from the Emperor, commanding all to receive their Confeſſion of Faith, and denouncing not only eternal, but corporal Puniſhments to all Recuſants, *viz.* If they were Biſhops, or Clergymen, or Monks, they were to be baniſhed. If Laymen, of any Rank and Figure, they were to forfeit their Eſtates, and loſe their Honours. If of the common People, they were to be expelled the Royal City. Theſe their definitive Sentences were concluded with the uſual Exclamation, of *God ſave the Emperor, Long live the Orthodox Emperor; down with the Hereticks; curſed be* Eutyches, Macarius, *&c. The Trinity hath depoſed them.*

*The Sixth general Council*; A. C. 681. Plat. in vit. Agath.

The next Controverſy of Importance was relating to the Worſhip of Images. The Reſpect due to the Memories of the Apoſtles and Martyrs of the Chriſtian Church, was gradually carried into great Superſtition, and at Length degenerated into downright Idolatry. Not only Churches were dedicated to them, but their Images placed in them, and religious Adoration paid to them. *Platina* tells us, That amongſt many other Ceremonies introduced by Pope *Sixtus* III. in the Fifth Century, he perſuaded *Valentinian* the younger, Emperor of the *Weſt*, to beautify and adorn the Churches, and to place upon the Altar of St. *Peter*, a golden Image of our Saviour, enriched with Jewels. In the next Century the Images of the Saints were brought in, and religious Worſhip paid to them. This appears from a Letter of Pope *Gregory*'s, to the Biſhop of *Marſeilles*, who broke in Pieces certain Images, becauſe they had been ſuperſtitiouſly adored. *Gregory* tells him, *I commend you, that through a pious Zeal, you would not ſuffer that which is made with Hands to be adored; but I blame you for breaking the Images in Pieces. For 'tis one Thing to adore a Picture, and another to learn by the Hiſtory of the Picture, what is to be adored.*

l. 9. Ind. 2. Ep. 9.

l. 7. Jud. 2. Ep. 109. Platin. *adored.* And elſewhere he declares, That *Images and Pictures in Churches, were very uſeful for the Inſtruction of the Ignorant, who could not read. Sergius*, after this, repaired the Images of the Apoſtles. *John* VII. adorned a great many Churches with the Pictures and Images of the Saints. And at length, in the Reign of *Philippicus*, *Conſtantine* the Pope, in a Synod held at *Rome*, decreed, That Images ſhould be fixed up in the Churches, and have great Adoration paid them. He alſo condemned and excommunicated the Emperor himſelf for Hereſy; becauſe he eraſed the Pictures of the Fathers, which had been painted on the Walls of the Church of St. *Sophia* at *Conſtantinople*; and commanded, that his Images ſhould not be received into the Church; that his Name ſhould not be uſed in any publick or private Writings, nor his Effigies ſtamped upon any kind of Money whatſoever.

This Superſtition of bringing Images into Churches was warmly oppoſed, and gave Occaſion to many Diſturbances and Murders. The Emperor *Leo Iſaurus* greatly diſapproved this Practice, and publiſhed an Edict, by which, he commanded all the Subjects of the *Roman* Empire, to deface all the Pictures, and to take away all the Statues of the Martyrs and Angels out of the Churches, in order to prevent Idolatry, threatning to puniſh thoſe who did not, as publick Enemies. Pope *Gregory* II. oppoſed this Edict, and admoniſhed all Catholicks, in no manner to obey it. This occaſioned ſuch a Tumult at *Ravenna* in *Italy*, between the Partiſans of the Emperor and the Pope, as ended in the Murder of *Paul*, *Exarch* of *Italy*, and his Son; which enraged the Emperor in an high Degree; ſo that he ordered all Perſons to bring to him all their Images of Wood, Braſs and Marble, which he publickly burnt; puniſhing with Death, all ſuch as were found to conceal them. He alſo convened a Synod at *Conſtantinople*; where, after a careful and full Examination, it was unanimouſly agreed, that the Interceſſion of the Saints was a meer Fable; and the Worſhip of Images and Relicts was downright Idolatry, and contrary to the Word of God. And as *Germanus*, Patriarch of *Conſtantinople*, favoured Images, the Emperor baniſhed him, and ſubſtituted *Anaſtatius*, who was of his own Sentiments, in his Room. *Gregory* III. in the Beginning of his Pontificate, aſſembled his Clergy, and by their unanimous Conſent, depoſed him on this Account, from the Empire, and put him under Excommunication; and was the firſt who withdrew the *Italians* from their Obedience to the Emperors of *Conſtantinople*, calling in the Aſſiſtance of *Charles* King of *France*. After this, he placed the Images of Chriſt and his Apoſtles in a more ſumptuous Manner than they were before upon the Altar of St. *Peter*, and at his own Expence, made a golden Image of the Virgin *Mary*, holding Chriſt in her Arms, for the Church of St. *Mary ad Præſepe*.

Plat. in vit. Gregor. II.

Platin.

*Conſtantine Copronymus*, *Leo*'s Son and Succeſſor in the Empire, inherited his Father's Zeal againſt the Worſhip of Images, and called a Synod at *Conſtantinople*, to determine the Controverſy. The Fathers being met together, to the Number of 330, after conſidering the Doctrine of Scripture, and the Opinions of the Fathers, decreed, *That every Image, of whatſoever Materials made and formed by the Artiſt, ſhould be caſt out of the Chriſtian Church as a ſtrange and abominable Thing; adding an Anathema upon all who ſhould make Images or Pictures.*

*Pictures, or Repreſentations of God, or of Chriſt, or of the Virgin* Mary, *or of any of the Saints, condemning it as a vain and diabolical Invention; depoſing all Biſhops, and ſubjecting the Monks and Laity, who ſhould ſet up any of them in publick or private, to all the Penalties of the imperial Conſtitutions.* They alſo depoſed *Conſtantine*, Patriarch of *Conſtantinople*, for oppoſing this Decree; and the Emperor firſt baniſhed him, and afterwards put him to Death; and commanded, That this Council ſhould be eſteemed and received as the ſeventh oecumenical, or univerſal one. *Paul* I. Pope of *Rome*, ſent his Legate to *Conſtantinople*, to admoniſh the Emperor to reſtore the ſacred Images and Statues which he had deſtroy'd; and threatened him with Excommunication upon his Refuſal. But *Copronymus* ſlighted the Meſſage, and treated the Legates with great Contempt, and uſed the Image Worſhippers with a great deal of Severity. Platin in vit. Paul I.

*Conſtantine*, Biſhop of *Rome*, the Succeſſor of *Paul*, ſeems alſo to have been an Enemy to Images, and was there tumultuouſly depoſed, and *Stephen* III. ſubſtituted in his Room, who was a warm and furious Defender of them. He immediately aſſembled a Council in the *Lateran* Church, where the holy Fathers abrogated all *Conſtantine*'s Decrees; depoſed all that had been ordained by him Biſhops, made void all his Baptiſms and Chriſms; and as ſome Hiſtorians relate, after having beat him, and uſed him with great Indignity, made a Fire in the Church, and burnt him therein. After this, they annulled all the Decrees of the Synod of *Conſtantinople*, ordered the Reſtoration of Statues and Images, and anathematized that execrable and pernicious Synod, giving this excellent Reaſon for the Uſe of Images, *That if 'twas lawful for Emperors, and thoſe who had deſerved well of the Commonwealth, to have their Images erected, but not lawful to ſet up thoſe of God; the Condition of the immortal God would be worſe than that of Men.* After this the Pope publiſhed the Acts of the Council, and pronounced an Anathema againſt all thoſe who ſhould oppoſe it. Id. in vit. Stephani.

Thus the Myſtery of this Iniquity worked, till at length, under the Reign of *Irene* and *Conſtantine* her Son, a Synod was packed up of ſuch Biſhops as were ready to make any Decrees that ſhould be agreeable to the *Roman* Pontiff, and the Empreſs. They met at *Nice*, to the Number of about 350. In this venerable Aſſembly it was decreed, *That holy Images of the Croſs ſhould be conſecrated, and put on the ſacred Veſſels and Veſtments, and upon Walls and Boards, in private Houſes and publick Ways; and eſpecially that there ſhould be erected Images of the Lord God, our Saviour Jeſus Chriſt, of our bleſſed Lady, the Mother of God, of the venerable Angels, and of all the Saints. And that whoſoever ſhould preſume to think or teach otherwiſe, or to throw away any painted Books, or the Figure of the Croſs, or any Image or Picture, or any genuine Relicts of the Martyrs, they ſhould, if Biſhops or Clergymen, be depoſed, or if Monks or Laymen, be excommunicated.* Then they pronounced Anathemas upon all who ſhould not receive Images, or who ſhould apply what the Scriptures ſay againſt Idols, to the holy Images, or who ſhould call them Idols, or who ſhould wilfully communicate with thoſe who rejected and deſpiſed them; adding, according to Cuſtom, *Long live* Conſtantine *and* Irene *his Mother. Damnation to all Hereticks. Damnation on the Council that roared againſt venerable Images. The holy Trinity hath depoſed them.* *The ſeventh general Council*, A.C.

*Irene* and *Conſtantine* approved and ſubſcribed theſe Decrees, and the Conſequence was, That Idols and Images were erected in all the Churches; and thoſe who were againſt them, treated with great Severity. This Council was held under the Popedom of *Hadrian* I. and thus, by the Intrigues of the Popes of *Rome*, Iniquity was eſtabliſhed by a Law, and the Worſhip of Idols authorized and eſtabliſhed in the Chriſtian Church, though contrary to all the Principles of natural Religion, and the Nature and Deſign of the Chriſtian Revelation.

In vit. Hadrian I. 'Tis true, that this Deciſion of the Council did not put an entire End to the Controverſy. *Platina* tells us, That *Conſtantine* himſelf not long after annulled their Decrees, and removed his Mother from all Share in the Government. The Synod alſo of *Francfort*, held about ſix Years after, decreed that the Worſhip and Adoration of Images was impious; condemned the Synod of *Nice*, which had eſtabliſhed it, and ordered that it ſhould not be called either the Seventh, or an univerſal Council. But as the *Roman* Pontiffs had engroſſed almoſt all Power into their own Hands, all Oppoſition to Image Worſhip became ineffectual; eſpecially as they ſupported their Decrees by the Civil Power, and cauſed great Cruelties to be exerciſed towards all thoſe who ſhould dare diſpute or contradict them.

For many Years the World groaned under this antichriſtian Yoke; nor were any Methods of Fraud, Impoſture and Barbarity left unpractiſed to ſupport and perpetuate it. As the Clergy rid Lords of the Univerſe, they grew wanton and inſolent in their Power; and as they drained the Nations of their Wealth to ſupport their own Grandure and Luxury, they degenerated into the worſt and vileſt ſet of Men that ever burdened the Earth. They were ſhamefully ignorant, and ſcandalouſly vicious; well verſed in the moſt exquiſite Arts of Torture and Cruelty, and abſolutely diveſted of all Bowels of Mercy and Compaſſion towards thoſe, who even in the ſmalleſt Matters differed from the Dictates of their Superſtition and Impiety. The infamous Practices of that accurſed Tribunal, the Inquiſition, the Wars againſt Hereticks in the Earldom of *Tholouſe*, the Maſſacres of *Paris* and *Ireland*, the many Sacrifices they have made in *Great-Britain*, the Fires they have kindled, and the Flames they have lighted up in all Nations, where their Power hath been acknowledged, witneſs againſt them, and demonſtrate them to be very Monſters of Mankind. So that one would really wonder, that the whole World hath not entered into a Combination, and riſen in Arms againſt ſo execrable a Set of Men, and extirpated them as ſavage Beaſts, from the Face of the whole Earth; who, out of a Pretence of Religion, have defiled it with the Blood of innumerable Saints and Martyrs, and made uſe of the Name of the moſt holy Jeſus, to countenance and ſanctify the moſt abominable Impieties.

But it pleaſed God, in his good Providence, to take the Remedy and Cure of theſe Evils, into his own Hands; and after ſeveral fruitleſs Attempts by Men, to bring about, at laſt, a Reformation of Religion, by his own Wiſdom and Power. The Hiſtory of this great Event hath been very particularly

ly and faithfully given by many excellent Writers, to which I muſt here refer my Readers; and it muſt be owned, that the Perſons employ'd by Almighty God, to accompliſh this great Work, were, many of them, remarkable for their great Learning and exemplary Piety. I am ſure I have no Inclination to detract from their Worth and Merit. One would indeed have imagined, that the Cruelties exerciſed by the Papiſts, upon all who oppoſed their Superſtitions in Worſhip, and their Corruptions in Doctrine, ſhould have given the firſt Reformers an utter Abhorrence of all Methods of Perſecution for Conſcience ſake, and have kept them from ever entering into any ſuch Meaſures themſelves. But it muſt be confeſſed, that however they differed from the Church of *Rome*, as to Doctrines and Diſcipline, yet, that they too generally agreed with her, in the Methods to ſupport, what they themſelves apprehended to be Truth and Orthodoxy; and were angry with the Papiſts, not for perſecuting, but for perſecuting themſelves and their Followers; being really of opinion that Hereticks might be perſecuted, and, in ſome Caſes, perſecuted to Death. And that this was their avowed Principle, they gave abundant Demonſtration by their Practice.

*Luther*, the great Inſtrument, under God, of the Reformation in *Germany*, was, as his Followers allow, naturally of a warm and violent Temper; but was however in his Judgment againſt puniſhing Hereticks with Death. Thus, in his Account of the State of the Popiſh Church, as related by *Seckendorf*, he ſays: *The true Church teaches the Word of God, but forces no one to it. If any one will not believe it, ſhe diſmiſſes him, and ſeparates her ſelf from him, according to the Command of Chriſt, and the Example of* Paul *in the* Acts, *and leaves him to the Judgment of God: Whereas our Executioners, and moſt cruel Tyrants, teach not the Word of God, but their own Articles, acting as they pleaſe, and then adjudge thoſe who refuſe to believe their Articles, and obey their Decrees, to the Fires.* Luther. l. 2. Sect. 36. §. 83.

The ſame Author gives us many other ſtrong Paſſages to the ſame Purpoſe. Particularly, in one of his Letters to *Lincus*, who aſked his Opinion about the Puniſhment of falſe Teachers, *Luther* ſays: *I am very averſe to the ſhedding of Blood, even in the Caſe of ſuch as deſerve it: And I the more eſpecially dread it in this Caſe, becauſe, as the Papiſts and Jews, under this Pretence, have deſtroy'd holy Prophets and innocent Men; ſo I am afraid the ſame would happen amongſt our ſelves, if in one ſingle Inſtance it ſhould be allow'd lawful for Seducers to be put to Death. I can therefore, by no Means, allow that falſe Teachers ſhould be deſtroy'd.* Ibid. Sect. 13. §. 43.

But as to all other Puniſhments, *Luther* ſeems to have been of *Auſtin*'s Mind, and thought that they might be lawfully uſed. For after the before-mention'd Paſſage, he adds, *'Tis ſufficient that they ſhould be baniſhed.* And in another Place, he allows, That *Hereticks may be corrected, and forced, at leaſt, to ſilence, if they publickly deny any one of the Articles received by all Chriſtians, and particularly that Chriſt is God; affirming him to be a mere Man or Prophet. This,* ſays he, *is not to force Men to the Faith, but to reſtrain publick Blaſphemy.* In another Place he goes farther, and ſays, That *Hereticks are not, indeed, to be put to Death, but may however be confined, and ſhut up in ſome certain Place, and put under Reſtraint as Madmen.* As to the *Jews*, he was for treating them more Ibid. Sect. 36. §. 83. l. 3. Sect. 8. §. 28.

ſeverely,

l. 3. Sect. 27. §. 3. severely, and was of Opinion, that *their Synagogues ſhould be levelled with the Ground, their Houſes deſtroy'd, their Books of Prayer, and of the* Talmud, *and even thoſe of the* Old Teſtament, *be taken from them, their Rabbi's be forbid to teach, and forced, by hard Labour, to get their Bread; and if they would not ſubmit to this, that they ſhould be baniſhed, as was formerly practiſed in* France *and* Spain.

l. 3. Sect. 32. §. 125. Germany. This was the Moderation of this otherwiſe great and good Man, who was indeed againſt putting Hereticks to Death, but for almoſt all other Puniſhments that the civil Magiſtrate could inflict: And, agreeably to this Opinion, he perſuaded the Electors of *Saxony*, not to tolerate, in their Dominion, the Followers of *Zuinglius*, in the Opinion of the Sacrament; becauſe he eſteemed the real Preſence an eſſential or fundamental Article of Faith; nor to enter into any Terms of Union with them, for their common Safety and Defence, againſt the Endeavours of the Papiſts to deſtroy them. And accordingly, notwithſtanding all the Endeavours of the *Landgrave* of *Heſſe Caſſel*, to get them included in the common League againſt the Papiſts, the Elector would never allow it, being vehemently diſſuaded from it by *Luther*, *Melancton*, and

l. 2. Sect. 6. §. 11. others of their Party, who alleged, *That they taught Articles contrary to thoſe received in* Saxony; *and that therefore there could be no Agreement of Heart with them.* In one of his Conferences with *Bucer*, he declared, That there could be no Union, unleſs *Zuinglius* and his Party ſhould think and teach otherwiſe; curſing all Phraſes and Interpretations that tended to aſſert the figurative

Sect. 17. §. 47. Preſence only, affirming, That *either thoſe of his own Opinion, or thoſe of* Zuinglius, *muſt be the Miniſters of the Devil.* On this Account, though *Luther* was for treating *Zuinglius* and his Followers, with as much Chriſtian Friendſhip as he could afford them, yet he would never own them for Brethren, but looked on them as Hereticks, and preſſed the Electors of *Saxony* not to allow

l. 3. Sect 6. §. 15. them in their Dominions. He alſo wrote to *Albert* Duke of *Pruſſia*, to perſuade him to baniſh them his Territories. *Seckendorf* alſo tells us, That the

Sect. 13. §. 41. *Lutheran* Lawyers of *Wittenburg*, condemned to Death one *Peter Peſtelius*, for

Ibid. being a *Zuinglian*; though this was diſapproved by the Elector of *Saxony*. Several alſo of the Anabaptiſts were put to Death by the *Lutherans*, for their Obſtinacy in propagating their Errors, contrary to the Judgment of the Landgrave of *Heſſe Caſſel*, who declared himſelf for more moderate Meaſures, and for uniting all ſorts of Proteſtants amongſt themſelves.

Calvin. *John Calvin*, another of the Reformers, and to whom the Chriſtian World is, on many Accounts, under very great Obligations, was, however well known to be in Principle and Practice a Perſecutor. So entirely was he in the perſecuting Meaſures, that he wrote a Treatiſe in Defence of them, maintaining the Lawfulneſs of putting Hereticks to Death. And that by Hereticks, he meant ſuch who differed from himſelf, is evident from his Treatment of *Caſtellio* and *Servetus*.

The former, not inferior to *Calvin* himſelf in Learning and Piety, had the Misfortune to differ from him in Judgment, in the Points of Predeſtination, Election, Free-will and Faith. This *Calvin* could not bear, and therefore treated

treated *Caſtellio*, in ſo rude and cruel a Manner, as I believe his warmeſt Friends will be aſhamed to juſtify. In ſome of his Writings he calls him, *Blaſphemer, Reviler, malicious barking Dog, full of Ignorance, Beſtiality and Impudence, Impoſtor, a baſe Corrupter of the Sacred Writings, a Mocker of God, a Contemner of all Religion, an impudent Fellow, a filthy Dog, a Knave, an impious, leud, crooked minded Vagabond, beggerly Rogue.* At other Times he calls him *A Diſciple and Brother of* Servetus, *and an Heretick. Caſtellio*'s Reply to all theſe Flowers, is worthy the Patience and Moderation of a Chriſtian, and from his Slanderer he appeals to the righteous Judgment of God. But not content with theſe Invectives, *Calvin* farther accuſed him of three Crimes which *Caſtellio* particularly anſwers. The firſt was of Theft, in taking away ſome Wood, that belonged to another Perſon, to make a Fire to warm himſelf withal: This *Calvin* calls, *Curſed Gain, at another's Expence and Damage*; whereas, in Truth, the Fact was this. *Caſtellio* was thrown into ſuch Circumſtances of Poverty by the Perſecutions of *Calvin* and his Friends, that he was ſcarce able to maintain himſelf. And as he dwelt near the Banks of the *Rhine*, he uſed, at leiſure Hours, to draw out of the River, with an Hook, the Wood that was brought down by the Waters of it. This Wood was no private Property, but every Man's that could catch it. *Caſtellio* took it in the Middle of the Day, and amongſt a great Number of Fiſhermen, and ſeveral of his own Acquaintance; and was ſometimes paid Money for it by the Decree of the Senate. This the charitable *Calvin* magnifies into a Theft, and publiſhes to the World to paint out the Character of his Chriſtian Brother.

But his Accuſations ran farther yet; and he calls God to witneſs, that whilſt he maintained *Caſtellio* in his Houſe, *he never ſaw any one more proud, or perfidious, or void of Humanity; and 'twas well known he was an Impoſtor, of a peculiar Impudence, and one that took Pleaſure in ſcoffing at Piety, and that he delighted himſelf in laughing at the Principles of Religion.* Theſe Charges *Caſtellio* anſwers in ſuch a Manner, as was enough to put even Malice it ſelf to ſilence. For, notwithſtanding *Calvin*'s Appeal to God for the Truth of theſe Things, yet he himſelf, and two of his principal Friends, who were eminent Preachers in *Savoy*, preſſed *Caſtellio*, even contrary to his Inclination, to take the Charge of a School in *Stratſburg:* And therefore, as he ſays to *Calvin*, *With what Conſcience could you make me Maſter, if you knew me to be ſuch a Perſon, when I dwelt in your Houſe? What Sort of Men muſt they be who would commit the Education of Children to ſuch a wicked Wretch as you appeal to God you knew me to be?* But what is yet more to the Purpoſe, is, that after he had been Maſter of that School three Years, *Calvin* gave him a Teſtimonial, written and ſigned with his own Hand, as to the Integrity of his paſt Behaviour, affirming, amongſt other Things, That *he had behaved himſelf in ſuch a Manner, that he was, by the Conſent of all of them, appointed to the Paſtoral Office.* And in the Concluſion he adds, *Leſt any one ſhould ſuſpect any other Reaſon why* Sebaſtian *went from us, we teſtify to all whereſoever he may come, That he himſelf voluntarily left the School, and ſo behaved himſelf in it, as that we adjudged him worthy this ſacred Miniſtry.*

*niſtry.* And that he was not actually received into it, was *non aliqua vitæ macula*, not owing to any Blemiſh of his Life, nor to any impious Tenets that he held in Matters of Faith, but to this only cauſe; the Difference of our Opinions about *Solomon*'s Songs, and the Article of Chriſt's Deſcent into Hell. But how is this Teſtimonial, that *Caſtellio* had no *macula vitæ*, was unblameable as to his Life, reconcileable with the Appeal to God, that he was proud and perfidious, and void of Humanity, and a profeſſed Scoffer at Religion, whilſt he dwelt at *Calvin*'s Houſe? If this Charge was true, How came *Calvin* and his Friends to apppoint him Maſter of a School, and judge him worthy the ſacred Miniſtry? Or if he was of ſo bad Character once, and afterwards gave the Evidence of a ſincere Repentance by an irreproachable Behaviour, what Equity or Juſtice, what Humanity or Honour, was there in publiſhing to the World Faults that had been repented of and forſaken? *Caſtellio* ſolemnly proteſts that he had never injured *Calvin*, and that the ſole Reaſon of his Diſpleaſure againſt him was becauſe he differed from him in Opinion. On this Account he endeavoured to render him every where Impious, prohibited the Reading of his Books; and, what is the laſt Effort of Enmity, endeavoured to excite the civil Magiſtrate againſt him to put him to Death. But God was pleaſed to protect this good Man from the Rage of his Enemies. He died at *Baſil*, in Peace, and received an honourable Burial, the juſt Reward of his Piety, Learning, and Merit.

Bez. in vit. Calvin. I may add to this Account, *Calvin*'s Treatment of one *Jerom Bolſec*, who from a Carmelite Monk had embraced the reformed Religion, but held the Doctrine of Free-will and Predeſtination upon the Foreſight of good Works. *Calvin* was preſent at a Sermon preached by him at *Geneva*, upon theſe Articles, and the Sermon being ended, publickly oppoſed him in the Congregation. When the Aſſembly was diſmiſſed, poor *Bolſec* was immediately apprehended, and ſent to Priſon, and ſoon after, by *Calvin*'s Counſel, baniſhed for Sedition and *Pelagianiſm* from the City, and forbid ever to come into it, or the Territories of it under Pain of being whipped, *A. C.* 1551.

Geneva. But *Calvin*'s Treatment of the unfortunate *Servetus* was yet more ſevere. His Book entitled, *Reſtitutio Chriſtianiſmi*, which he ſent in *MS.* to *Calvin*, enraged him to that Degree, that he afterwards kept no Temper or Meaſures with him, ſo that as *Bolſec* and *Uytenbogaert* relate, in a Letter written by him to his Friends *Viret* and *Farel*, he tells them, That *if this Heretick* (Servetus) *ſhould ever fall into his Hands, he would take Care that he ſhould loſe his Life. Servetus* his Impriſonment at *Vienne*, ſoon gave him an Opportunity to ſhew his Zeal againſt him: For, in Order to ſtrengthen the Evidence againſt him, *Calvin* ſent to the Magiſtrates of that City, the Letters and Writings which *Servetus* had ſent to him at *Geneva*. This is evident from the Sentence it ſelf againſt him, in which thoſe Writings, as well as his printed Book, are expreſly mentioned as containing the Proofs of his Hereſy. Whether *Calvin* ſent them of his own Accord, or, at the Deſire of the Magiſtrates of *Vienne*, I ſhall not preſume to determine. If of his own Accord, it was a baſe Officiouſneſs, and if at the Requeſt of thoſe Magiſtrates, it was a moſt unaccountable Conduct in a

Biblioth. Raiſon. Pour d' Octobre, &c. 1728. *Art.* VIII.

Proteſtant, to ſend Evidence to a Popiſh Court, to put a Proteſtant to Death; eſpecially conſidering that *Servetus* could not differ more from *Calvin* than *Calvin* did from the Papiſts, their common Adverſaries, and who certainly deſerved as much to be burnt, in their Judgment, as *Servetus* did in *Calvin*'s.

Beſides this, *Servetus* farther charges him with writing to one *William Trie* at *Lyons*, to furniſh the Magiſtrates of that City with Matter of Accuſation againſt him. The Author of the *Bibliotheque* beforementioned, ſays, this is a meer Romance, dreſſed up by *Servetus*. I confeſs it doth not appear to me in ſo very romantick a Light, at leaſt *Calvin*'s Vindication of himſelf from this Charge doth not ſeem to be altogether ſufficient. He ſays, *'Tis commonly reported, that I occaſioned* Servetus *to be apprehended at* Vienne, *on which Account, 'tis ſaid by many, that I have acted diſhonourably, in thus expoſing him to the mortal Enemies of the Faith, as though I had thrown him into the Mouth of the Wolves. But, I beſeech you, how came I, ſo ſuddenly, into ſuch an Intimacy with the Pope's Officers? 'Tis very likely, truly, that we ſhould correſpond together by Letters; and that thoſe who agree with me, juſt as* Belial *doth with Jeſus Chriſt, ſhould enter into a Plot with their mortal Enemy, as with their Companion: This ſilly Calumny will fall to the Ground, when I ſhall ſay, in one Word, That there is nothing in it.* But how doth all this confute *Servetus*'s Charge? For whatever Differences there might be between *Calvin* and the Papiſts in ſome Things, yet, why might he not write to the Papiſts at *Vienne* to put *Servetus* to Death for what was equally counted Hereſy by them both, and when they agreed as the moſt intimate Friends and Companions in the Lawfulneſs of putting Hereticks to Death. What *Calvin* ſays of the Abſurdity of an Intimacy and Conſpiracy with him their mortal Enemy, is no Abſurdity at all. *Herod* and *Pontius Pilate*, tho' Enemies, agreed in the Condemnation of the Son of God. Beſides, 'tis certain, that the Magiſtrates at *Vienne* had *Servetus*'s Manuſcripts ſent to them from *Geneva*, either by *Calvin*, or the Magiſtrates of that City; and when *Servetus* was afterwards apprehended at *Geneva*, the Magiſtrates there ſent a Meſſenger to *Vienne*, for a Copy of the Proceſs that had been there carried on againſt him, which that Meſſenger received, and actually brought back to *Geneva*. So that nothing is more evident, than that there was an Intimacy and Conſpiracy between the Proteſtants of *Geneva* and the Papiſts at *Vienne*, to take away the Life of poor *Servetus*; and that, though they were mortal Enemies in other Things, and as far different from one another as Chriſt and *Belial*, yet that they agreed harmoniouſly in the Doctrine and Practice of Perſecution, and were one in the Deſign and Endeavour of murthering this unhappy Phyſician. And though *Calvin* is pleaſed magiſterially to deny his having any Communication by Letters with the Papiſts at *Vienne*, yet, I think, his Denial far from ſufficient to remove the Suſpicion. He himſelf expreſly ſays, that many Perſons blamed him for not acting honourably in that Affair; and the Accuſation was ſupported by *Servetus*'s Complaint, and by what is a much ſtronger Evidence, by the original Papers and Letters which *Servetus* had ſent to *Calvin*, which were actually produced by the Judges at *Vienne*, and recited in the Sentence as part of the Foundation of his Condemnation. And as *Calvin*

himſelf never, as I can find, hath attempted to clear up theſe ſtrong Circumſtances, though he owed it to himſelf and his Friends, I think he can't well be excuſed from practiſing the Death of *Servetus* at *Vienne*, and lending his Aſſiſtance to the bloody Papiſts of that Place the more effectually to procure his Condemnation.

But he had the good Fortune to make his Eſcape from Impriſonment, and was, *June* 17, 1553. condemned for Contumacy, and burnt in Effigie by the Order of his Judges, having himſelf got ſafe to *Geneva*, where he was re-condemned, and actually burnt in Perſon, *October* 27. of the ſame Year, 1553. He had not been long in this City before *Calvin* ſpirited up one *Nicholas de la Fountain*, probably one of his Pupils, to make Information againſt him, wiſely avoiding it himſelf, becauſe, according to the Laws of *Geneva*, the Accuſer muſt ſubmit to Impriſonment with the Party he accuſes, till the Crime appears to have a ſolid Foundation and Proof. Upon this Information *Servetus* was apprehended and impriſoned. *Calvin* ingenuouſly owns[a], That this whole Affair was carried on at his Inſtance and Advice; and that, in order to bring *Servetus* to Reaſon, he himſelf found out the Party to accuſe him, and begin the Proceſs againſt him. And therefore, though, as the forementioned Author of the *Bibliotheque* for *Jan. &c.* 1729. obſerves, the Action after its Commencement was carried on according to the Courſe of Law; yet, as *Calvin* accuſed him for Hereſy, got him impriſon'd, and began the criminal Proceſs againſt him, he is anſwerable for all the Conſequences of his Trial, and was in reality the firſt and principal Author of his Death, eſpecially as the penal Laws againſt Hereticks ſeem at that Time to have been in force at *Geneva*, ſo that *Servetus* could not eſcape the Fire upon his Conviction of Hereſy.

When he was in Gaol he was treated with the ſame Rigor as if he had been detained in one of the Priſons of the Inquiſition. He was ſtripped of all Means of procuring himſelf the Conveniencies and Supplies he needed in his Confinement. They took from him ninety ſeven Pieces of Gold, a gold Chain worth twenty Crowns, ſix gold Rings, and at laſt put him into a deep Dungeon, where he was almoſt eaten up with Vermin. All this Cruelty was practiſed upon a Proteſtant, in the Proteſtant City of *Geneva*. Beſides this, he could never get a Proctor or Advocate to aſſiſt him, or help him in pleading his Cauſe, though he requeſted it, as being a Stranger, and ignorant of the Laws and Cuſtoms of the Country. *Calvin*, at the Requeſt of the Judges, drew up certain Propoſitions out of *Servetus*'s Books, repreſenting them as blaſphemous, full of Errors, and prophane Reveries, all repugnant to the Word of God, and to the common Conſent of the whole Church; and, indeed, appears to have been acquainted with, and conſulted in the whole Proceſs, and to have uſed all his Arts and Endeavours to prevent his coming off with Impunity.

[a] Unus ex Syndicis, me autore, in carcerem duci juſſit. Epiſt. ad *Sultzer.* Quum agnitus fuiſſet, retinendum putavi. *Nicholaus* meus ad capitale judicium ipſum vocavit. Epiſt. ad *Farrel.*

'Tis

'Tis but a poor and mean Excuse that *Calvin* makes for himself in this respect, when he says, *As to the Fact I will not deny, but that 'twas at my Prosecution he was imprison'd ... But that after he was convicted of his Heresies I made no Instances for his being put to Death.* But what need of Instances? He had already accused him, got him imprison'd, prosecuted in a criminal Court for the capital Crime of Heresy, and actually drew up forty Articles against him for Heresy, Blasphemy, and false Doctrine. When he was convicted of these Crimes the Law could not but take its Course, and his being burnt to Death was the necessary Consequence of his Conviction. What occasion was there then for *Calvin* to press his Execution, when the Laws themselves had adjudged him to the Flames? But even this Excuse, poor as it is, is not sincerely and honestly made. For *Calvin* was resolved to use all his Interest to destroy him. In his Letter to *Farrel* he expressly says [b], *I hope, at least, they will condemn him to Death, but not to the terrible one of being burnt.* And in another to *Sultzer* [c], *Since the Papists, in order to vindicate their own Superstitions cruelly shed innocent Blood, 'tis a Shame that Christian Magistrates should have no Courage at all in the Defence of certain Truth. ..... However, I will certify you of one Thing, that the City Treasurer is rightly determined, that he shall not escape that End which we wish him.* And in another to the Church at *Franckfort* [d], *The Author* (Servetus) *is put in Gaol by our Magistrates, and I hope he'll shortly suffer the Punishment he deserves.* There was but one way possible for him to escape, and that was by bringing his Cause from the criminal Court, where he was prosecuted, before the Council of the two Hundred. And this *Calvin* vigorously opposed, and reflected on the Syndick himself for endeavouring it. He says, that he pretended Illness for three Days, and then came into Court to save that Wretch (*Servetus*) from Punishment, and was not ashamed to demand, that the Cognisance of the Affair should be referred to the two Hundred. However, he was unanimously condemned. Now, what great Difference is there between a Prosecutor's endeavouring to prevent the only Method by which a Criminal can be saved, and his actually pressing for his being put to Death? *Calvin* actually did the former, and yet would fain persuade us he had no hand in the latter. 'Tis much of a Piece with this, his desiring that the Rigor of *Servetus*'s Death might be mitigated; for as the Laws against Hereticks were in force at *Geneva*, the Tribunal that judged *Servetus* could not, after his Conviction of Heresy, absolve him from Death, nor change the manner of it, as *Calvin* says, he would have had it; and therefore his desiring that the Rigor of it might be abated, looks too much like the Practise of the Inquisitors, who

Epist. ad Farrel.

Epist. ad Farrel.

[b] Spero capitale saltem fore Judicium: Pœnæ vero atro citatem remitti cupio. Epist. ad *Farrel.* Cras ad supplicium ducetur. Genus mortis conati sumus mutare, sed frustra. Altera Epist. ad *Farrel.*

[c] Quum tam acres sunt & animosi superstitionum suarum vindices Papistæ, ut atrociter sæviant ad fundendum innoxium sanguinem, pudeat Christianos Magistratus in tuenda certa veritate nihil prorsus habere animi. —— Tantum unius rei te admonitum volo, Quæstorem Urbis —— in hac causa recto esse animo, ut saltem exitum quem optamus non fugiat.

[d] Auctor ipse tenetur in carcere a Magistratu nostro, & propediem, ut spero, daturus est pœnas.

when they deliver over an Heretick to the ſecular Arm, beſeech it ſo to moderate the Rigor of the Sentence, as not to endanger Life or Limb.

This was the Part that *Calvin* acted in the Affair of *Servetus*, which I have repreſented in the moſt impartial Manner, as it appears to me; and am ſorry I am not able to wipe off ſo foul a Stain from the Memory of this otherwiſe excellent and learned Reformer. But when his Enemies charge him with acting meerly from Principles of Malice and Revenge in this matter, I think it an evident Abuſe and Calumny. He was, in his own Judgment, for perſecuting and deſtroying Hereticks, as appears from the Treatiſe he publiſhed in Vindication of this Practice, entitled [e], *A Declaration for maintaining the true Faith, held by all Chriſtians, concerning the Trinity of Perſons in One only God, by* John Calvin, *againſt the deteſtable Errors of* Michael Servetus, *a* Spaniard. *In which 'tis alſo proved, that it is lawful to puniſh Hereticks; and that this Wretch was juſtly executed in the City of* Geneva. Geneva, 1554. This Principle was maintained by almoſt all the Fathers and Biſhops of the Church ſince the three firſt Centuries, who eſteemed Hereſy as one of the worſt of Impieties, and thought it the Duty of the civil Magiſtrate to employ their Power for the Suppreſſion of it, and for the Support and Eſtabliſhment of the orthodox Faith. And though the firſt Reformers abhorred the Cruelty of the Papiſts towards the Proteſtants, they had nevertheleſs the ſame Abhorrence of what they counted Hereſy that the Papiſts had, and agreed with them in the Lawfulneſs of ſuppreſſing it by the civil Power. So that *Calvin* acted in this Affair from a Principle, though a miſtaken Principle of Conſcience, and had the Encouragement and Approbation of the moſt learned and pious Reformers of the Times he lived in. *Melancton*, in a Letter to *Bullinger*, ſays, *I have read alſo what you have written concerning the Blaſphemies of* Servetus, *and I approve your Piety and Judgment. I think alſo, that the Senate of* Geneva *hath done right, that they have put to Death that obſtinate Perſon who would not ceaſe to blaſpheme; and I wonder that there are any who diſapprove that Severity.* He affirms the ſame alſo in another Letter to *Calvin* himſelf. *Bucer* alſo ſaid publickly in his Sermon, that *he ought to have his Bowels pulled out, and be torn in pieces*, as *Calvin* relates it in his Letter to *Sultzer*. *Farrel* in a Letter to *Calvin* ſays, that *he deſerved to die ten Thouſand Deaths, that it would be a Piece of Cruelty, and an Injuſtice to Chriſt, and the Doctrine of Piety, for Magiſtrates not to take notice of the horrible Blaſphemies of that wicked Heretick. And he hoped God would ſo order it, that as the Magiſtrates of* Geneva *were very Praiſe-worthy for puniſhing Thieves and ſacrilegious Perſons, ſo they would behave themſelves well in the Affair of* Servetus, *by putting him to Death, who had ſo long obſtinately perſiſted in his Hereſies, and deſtroy'd ſo many Perſons by them.*

The Paſtors of the Church at *Baſil*, in their Letter to the Syndicks and Senate of *Geneva*, expreſs their Joy for the Apprehenſion of *Servetus*, and adviſe

[e] Declaration pour maintenir le vraye Foy que tiennent tous Chretiens de la Trinite des Perſonnes en un ſeul Dieu; par *Jean Calvin*, contre les Erreurs deteſtables de *Michael Servetus*, *Eſpagnol*, ou il eſt auſſi monſtre qu'il eſt licite de punir les Heretiques: & qu' a bon droict ces Meſchant a ete executé par Juſtice en la ville de *Geneve*. A *Geneve*, 1554.

them

them first to *use all Endeavours to recover him; but that if he persisted in his Perverseness, they should punish him according to their Office, and the Power they had received from God, to prevent his giving any Disturbance to the Church, and lest the latter end should be worse than the first.* The Ministers of the Church of *Bern* were of the same Opinion, and in their Letter to the Magistrates of *Geneva* say, *We pray the Lord that he would give you the Spirit of Prudence, Counsel and Strength, to remove this Plague from the Churches, both* your *own and others*, and advise them *to neglect nothing that may be judged unworthy a Christian Magistrate to omit.* The Ministers of *Zurich* give much the same Advice, and thought that there was need of a great deal of Diligence in the Affair; *especially as the reformed Churches were evil thought of, amongst other Reasons, for this, as being themselves heretical, and Favourers of Hereticks. But that, as the Providence of God had given them an Opportunity of wiping off so evil a Suspicion, and preventing the farther spreading of so contagious a Poison, they did not doubt but their Excellencies would be careful to improve it.* Those of *Scaffhusen* subscribed to the Judgment of those of *Zurich*, and declare, that they did not doubt, but that their Prudence would put a stop to the Attempts of *Servetus*, lest his Blasphemies, as a Canker, should eat up the Members of Christ; adding these remarkable Words, *That to endeavour to oppose his Dreams by a train of Reasoning, what would it be, but to grow mad with a Madman.*

These Extracts, which are taken out of the Letters printed at the End of *Calvin*'s Institutions, clearly demonstrate, that he acted seriously and deliberately in the Affair of *Servetus*, and that he consulted the neighbouring Churches, and had their Opinion of the Lawfulness and Expediency of putting him to Death for his Heresies. And though it doth not wholly excuse his Fault, yet it ought in Justice to be allowed as an Abatement and Extenuation of it; and, I think, evidently proves, what his Enemies are very unwilling to allow, that he was not transported by Rage and Fury, and did not act meerly from the Dictates of Envy and Malice, but from a mistaken Zeal against what he accounted Blasphemy and Heresy, and with the concurrent Advice of his Brethren in the Ministry, and Fellow-Labourers in the great Work of the Reformation. And I think his eminent Services to the Church of God, both by his Preaching and Writings, ought, notwithstanding all his Failings, to secure to his Memory the Honour and Respect that is due to it. For he deserved well of all the reformed Churches, and was an eminent Instrument in the Hand of Providence, in promoting the great and glorious Work of saving Men from the gross Errors, Superstitions, and Idolatries of the *Romish* Church. And as I thought my self obliged impartially to represent these Things as they appear'd to me, I hope all who love to distinguish themselves by *Calvin*'s Name, will be careful not to imitate him in this great Blemish of his Life, which, in reality, hath tarnish'd a Character, that would otherwise have appeared amongst the first and brightest of the Age he lived in.

In the Year 1632. after *Calvin*'s Death, one *Nicholas Antboine* was condemned also by the Council of *Geneva* to be first hanged, and afterwards burnt, because,

becauſe, that having forgotten the Fear of God, he had committed the Crime of Apoſtacy and High-Treaſon againſt God, by having oppoſed the Holy Trinity, denied our Lord and Saviour Jeſus Chriſt, blaſphemed his holy Name, renounced his Baptiſm, and the like.

Bern. Beza in vit. Calv. B. Aret. Hiſt. Val. Gent.

*Valentinus Gentilis*, a Native of *Coſentia* in *Italy*, had the Misfortune alſo to fall into ſome heterodox Opinions concerning the Trinity, and held, that the Father alone was αὐτοθεὸς, God of himſelf, ἀγεννητὸς, unbegotten, *Eſſentiator*, the giver of Eſſence to all other Beings; but that the Son was *Eſſentiatus*, of a derived Eſſence from the Father, and therefore not αὐτοθεὸς, or God of himſelf, though at the ſame Time he allowed him to be truly God. He held much the ſame as to the Holy Ghoſt, making them Three eternal Spirits, diſtinguiſh'd by a gradual and due Subordination, reſerving the Monarchy to the Father, whom he ſtiled the One only God. Being forced to fly his native Country on Account of his Religion he came to *Geneva*, where there was a Church of *Italian* Refugees, ſeveral of whom, ſuch as *G. Blandrata*, a Phyſician, *Gribaldus* a Lawyer, and *Paulus Alciatus*, differ'd from the commonly received Notions of the Trinity. When their Heterodoxes came to be known at *Geneva*, they were cited before the Senators, Miniſters, and Preſbyters; and being heard in their own Defence, were refuted by *Calvin*, and all ſubſcribed to the orthodox Faith. But *V. Gentilis* having after this endeavoured to propagate his own Opinions, he was again apprehended, and forced by *Calvin* and others to a publick Abjuration, and condemned *An.* 1558. to an exemplary Penance, *viz.* "That he ſhould be ſtripped cloſe "to his Shirt, then bare-foot and bare-headed ſhould carry in his Hand a "lighted Torch, and beg God and the Court's Pardon on his Knees, by con-"feſſing himſelf maliciouſly and wickedly to have ſpread Abroad a falſe and "heretical Doctrine; but that he did now from his Heart deteſt and abhor "thoſe abominable, lying, and blaſphemous Books, he had compoſed in its "Defence; in teſtimony of which he was to caſt them, with his own Hands, "into the Flames, there to be burnt to Aſhes. And for more ample Satis-"faction, he was enjoined to be led through all the Streets of *Geneva*, at the "ſound of Trumpet, in his penitential Habit, and ſtrictly commanded not "to depart the City without Permiſſion." And this Penance he actually underwent. But having found means to make his Eſcape, he came at laſt to *Gaium*, a Prefecture, ſubject to the Canton of *Bern*, where he was ſeized and impriſoned by the Governor, who immediately ſent an Account of his Apprehenſion to the Senate of *Bern*, who ordered him to be brought Priſoner to that City, where they put him in Gaol. After they had ſeized all his Books and Papers, they collected ſeveral Articles, with the Heads of an Indictment out of them to be preferred againſt him. Amongſt others theſe were two, 1. *That he diſſented from us and all the Orthodox in the Doctrine of the Trinity.* And, 2. *That his Writings contain'd many impious Blaſphemies, concerning the Trinity.* And becauſe he continued obſtinate in his Opinions, notwithſtanding the Endeavours of the Divines to convert him, he was condemned by the Senate, for his Blaſphemies againſt the Son of God, and the glorious Myſtery of the Trinity,

to be beheaded, which Sentence was executed on him in *September*, *Anno* 1566.

At *Basil* also Heresy was a Crime punishable with Death, since the Reformation, as appears from the Treatment of the dead Body of *David George*, an enthusiastical Anabaptist. Having left *Holland* he went to *Basil*, and settled there as one that was banished out of his Country for the sake of his Religion, propagating his own Doctrines by Letters, Books, and Messengers in *Holland*. But his Errors being discovered after his Death, he was taken out of his Grave, and together with his Books and Pictures burnt to Ashes, by order of the Magistrates, at the Place of Execution, without the Walls of *Basil*, *May* 13, 1559. His Opinions were first extracted from the printed Books and Manuscript Papers found in his House, and he declared an Arch-Heretick. Basil. Brandt Hist. Book 3. p. 77.

*Zurich* also furnishes us with an Instance of great Cruelty towards an Anabaptist. A severe Edict was published against them, in which there was a Penalty of a silver Mark, about four Shillings *English* Money, set upon all such as should suffer themselves to be re-baptized, or should with-hold Baptism from their Children. And it was further declared, That those who openly opposed this Order, should be yet more severely treated. Accordingly one *Felix* was drowned at *Zurich* upon the Sentence pronounced by *Zuinglius*, in these four Words, *Qui interum mergit, mergatur. He that redips let him be drowned.* This happen'd in the Year 1526. About the same Time also, and since, there were some more of them put to Death. From the same Place also *Ochinus* was banished, in his old Age, in the Depth of Winter, together with his Children, because he was an *Arian*, and defended Poligamy, if *Beza*'s Account of him be true. Zurich. Book 2. p. 57. Bez Epist. 1.

*Lubieniecius*, a *Polish* Unitarian, was through the Practices of the *Calvinists*, banished with his Brethren from *Poland*, his native Country, and forced to leave several Protestant Cities of *Germany*, to which he had fled for Refuge, particularly *Stetin*, *Frederickstadt*, and *Hamburgh*, through the Practices of the *Lutheran* Divines, who were against all Toleration. At *Hamburgh* he received the Orders of the Magistrates of the City to depart the Place on his Death-bed; and when his dead Body was carried to *Altenau* to be interr'd, though the Preachers could not, as they endeavour'd, prevent his being buried in the Church, yet they did actually prevent the usual funeral Honours being paid him. *John Sylvanus*, Superintendant of the Church of *Heidelberg*, was put to Death by order of *Frederick* Elector *Palatine*, *An.* 1571. being accused of *Arianism*. Poland. Vit. Lub. præf. Hist. Reformat. Polon. Lub. Hist. l. 2. c. 5.

If we pass over into *Holland*, we shall also find, that the Reformers there were most of them in the Principles and Measures of Persecution, and managed their Differences with that Heat and Fury as gave great Advantages to the Papists, their common Enemies. In the very Infancy of the Reformation the *Lutherans* and *Calvinists* condemned each other for their supposed Heterodoxy in the Affair of the Sacrament, and looked upon compliance and mutual Toleration to be Things intolerable. These Differences were kept up principally Holland.

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by the Clergy of each Party. The Prince of *Orange*, and States of *Holland*, who were heartily inclined to the Reformation, were not for confining their Protection to any particular Set of Principles or Opinions, but for granting an univerſal Indulgence in all Matters of Religion, aiming at Peace and mutual Forbearance, and to open the Church as wide as poſſible for all Chriſtians of unblameable Lives; whereas the Clergy being biaſſed by their Paſſions and Inclinations for thoſe Maſters, in whoſe Writings they had been inſtructed, endeavoured with all their Might to eſtabliſh and conciliate Authority to their reſpective Opinions; aiming only at Deciſions and Definitions, and ſhutting up the Church by Limitations in many doubtful and diſputable Articles; ſo that the Diſturbances which were raiſed, and the Severities which were uſed upon the Account of Religion, proceeded from the Bigotry of the Clergy, contrary to the Deſire and Intention of the civil Magiſtrate.

Brandt. Hiſt. Viz. l. 17.

Before the Miniſters of the reformed Party were engaged in the Controverſy with *Arminius*, their Zeal was continually exerting it ſelf againſt the Anabaptiſts, whom they declared to be excommunicated and cut off from the Church, and endeavoured to convert by Violence and Force, prohibiting them from preaching under Fines, and baniſhing them their Country, upon account of their Opinions. And the better to colour theſe Proceedings, ſome of them wrote in defence of Perſecution; or which is the ſame Thing, againſt the Toleration of any Religion or Opinions different from their own; and for the better Support of Orthodoxy, they would have had the Synods ordain, that all Church Officers ſhould renew their Subſcriptions to the Confeſſion and Catechiſm every Year, that hereby they might the better know who had changed their Sentiments, and differed from the received Faith. This Practice was perfectly agreeable to the *Geneva* Diſcipline; *Calvin* himſelf, as hath been ſhewn, being in Judgment for perſecuting Hereticks; and *Beza* having wrote a Treatiſe, *An.* 1600. to prove the Lawfulneſs of puniſhing them. This Book was tranſlated from the *Latin*, into the *Low Dutch* Language by *Bogerman*, afterwards Preſident of the Synod of *Dort*, and publiſhed with a Dedication, and Recommendation of it to the Magiſtrates. The Conſequence of this was, that very ſevere Placarts were publiſhed againſt the Anabaptiſts in *Frieſland* and *Groningen*, whereby they were forbidden to preach; and all Perſons prohibited from letting their Houſes and Grounds to them, under the Penalty of a large Fine, or Confinement to Bread and Water for fourteen Days. If they offended the third Time, they were to be baniſhed the City, and the Juriſdiction thereof. Whoſoever was diſcovered to rebaptize any Perſon ſhould forfeit twenty Dollars; and upon a ſecond Conviction be put to Bread and Water, and then be baniſhed. Unbaptiſed Children were made incapable of inheriting; and if any married out of the reformed Church, he was declared incapable of inheriting any Eſtate, and the Children made illegitimate.

But the Controverſy that made the greateſt Noiſe, and produced the moſt remarkable Effects, was that carried on between the *Calviniſts* and *Arminians*. *Jacobus Arminius*, one of the Profeſſors of Divinity at *Leyden*, diſputing in his turn about the Doctrine of Predeſtination, advanced ſeveral Things differing from

from the Opinions of *Calvin* on this Article, and was in a few Months after warmly oppoſed by *Gomarus* his Collegue, who held, That *'twas appointed by an eternal Decree of God, who amongſt Mankind ſhall be ſaved, and who ſhall be damned.* This was indeed the Sentiment of moſt of the Clergy of the *United Provinces*, who therefore endeavoured to run down *Arminius* and his Doctrine with the greateſt Zeal, in their private Converſations, publick Diſputes, and in their very Sermons to their Congregations, charging him with Innovations, and of being a Follower of the ancient heretical Monk *Pelagius*; whereas the Government was more inclinable to *Arminius*'s Scheme, as being leſs rigid in its Nature, and more intelligible by the People, and endeavoured all they could to prevent theſe Differences of the Clergy from breaking out into an open Quarrel, to the Diſturbance of the publick Peace. But the Miniſters of the Predeſtinarian Party would enter into no Treaty for Peace: The Remonſtrants were the Objects of their furious Zeal, whom they called *Mamalukes, Devils, and Plagues*, animating the Magiſtrates to extirpate and deſtroy them, and crying out from the Pulpits, *We muſt go through thick and thin, without fearing to ſtick in the Mire: We know what* Elijah *did to* Baal's *Prieſts*, And when the Time drew near for the Election of new Magiſtrates, they prayed to God for ſuch Men, *as would be zealous even to Blood, though it were to coſt the whole Trade of their Cities.* They alſo accuſed them of keeping up a Correſpondence with the Jeſuits and *Spaniards*, and of a Deſign to betray their Country to them.

Theſe Proceedings gave great Diſturbance to the Magiſtrates, eſpecially as many of the Clergy took great Liberties with them, furiouſly inveighing againſt them in their Sermons as Enemies to the Church, and Perſecutors; as Libertines and Free-Thinkers, who hated the ſincere Miniſters of God, and endeavoured to turn them out of their Office. This Conduct, together with their obſtinate Refuſal of all Meaſures of Accommodation, and Peace with the Remonſtrants, ſo incenſed the Magiſtrates, that in ſeveral Cities they ſuſpended ſome of the warmeſt and moſt ſeditious of them, and prohibited them from the publick Exerciſes of their miniſterial Function; particularly *Gezelius* of *Roterdam*, and afterwards *Roſæus*, Miniſter at the *Hague*, for endeavouring to make a Schiſm in the Church, and exhorting the People to break off Communion with their Brethren. Being thus diſcarded, they aſſumed to themſelves the Name of the perſecuted Church, and met together in private Houſes, abſolutely refuſing all Communion with the Remonſtrant Miniſters and Party, in ſpite of all the Attempts made uſe of to reconcile and unite them.

What the Miniſters of the Contraremonſtrant Party aimed at, was the holding a national Council, which at length, after a long Oppoſition, was agreed to in the Aſſembly of the *States General*, who appointed *Dort* for the Place of the Meeting. Prince *Maurice* of *Orange*, the Stadholder, effectually prepared Matters for holding the ſaid Aſſembly; and as he declared himſelf openly for the Contraremonſtrant Party, not for that he was of their Opinions in Religion, being rather inclined to thoſe of *Arminius*, but becauſe he thought them the beſt

Friends to his Family, he took Care that the Council ſhould conſiſt of ſuch Perſons as were well affected to them. In order to this his Excellency changed the Government of moſt of the Towns of *Holland*, depoſed thoſe Magiſtrates who were of the Remonſtrant Perſuaſion, or that favoured them in the Buſineſs of the Toleration, and filled up their Places with Contraremonſtrants, or ſuch as promoted their Intereſts, making uſe of the Troops of the States to obviate all Oppoſition. The Conſequence of this was the Impriſonment of ſeveral great Men of the Remonſtrant Perſuaſion, ſuch as the Advocate *Oldenbarnevelt*, *Grotius* and others; and the Suſpenſion, or total Deprivation of a conſiderable Number of the Remonſtrant Clergy, ſuch as *Vitenbogart* of the *Hague*, *Grovinckhovius* of *Roterdam*, *Grevius* and others, by particular Synods met together for that purpoſe, and to prepare Things, and appoint Perſons for the enſuing national one at *Dort*. The Perſons fixed on were generally the moſt violent of the Contraremonſtrant Party, and who had publickly declared, that they would not enter into Communion with thoſe who differ'd from them, nor agree to any Terms of Moderation and Peace. There were alſo ſeveral foreign Divines ſummoned to this Council, who were moſt of them in the *Calviniſtick* Scheme, and profeſſed Enemies to the *Arminians*. The Lay Commiſſioners alſo, who were choſen by the States, were moſt of them very partial Contraremonſtrants, and two or three of them, who ſeemed more impartial than the others, were hardly ſuffered to ſpeak; and if they did, were preſently ſuſpected, and repreſented by Letters ſent to the States, and Prince *Maurice* at the *Hague*, as Perſons that favoured the Remonſtrants, which was then conſider'd as a Crime againſt the Government, inſomuch that by theſe Inſinuations, they were in danger of being ſtripped of all their Employments. The firſt Seſſion and Opening of this venerable Aſſembly, was *Nov.* 13, 1618. *John Bogerman* was choſen Preſident of it; the ſame worthy and moderate Divine, who had before tranſlated into *Low Dutch Beza*'s Treatiſe, to prove the Lawfulneſs of puniſhing Hereticks, with a Preface Recommendatory to the civil Magiſtrate; choſen, not by the whole Synod, but by the Low Country Divines only, the Foreigners not being allowed any Share in the Election.

*The Council of* Dort, A. C. 1618.

At the fifth Seſſion the Remonſtrants petitioned the Synod, That a competent Number of their Friends might have leave to appear before them, and that the Citation might be ſent to the whole Body, and not to any ſingle Perſon, to the End that they might be at liberty to ſend ſuch as they ſhould judge beſt qualified to defend their Cauſe; and particularly inſiſted, that *Grovinckhovius* and *Goulart* might be of the Number. One would have thought that ſo equitable a Requeſt ſhould have been readily granted. But they were told, that it could not be allowed that the Remonſtrants ſhould paſs for a diſtinct Body, or make any Deputation of Perſons in their common Name to treat of their Affairs; and agreeably to this Declaration the Summons that were given out, were not ſent to the Remonſtrants as a Body or Part of the Synod, but to ſuch particular Perſons as the Synod thought fit to choſe out of them; which was little leſs than citing them as Criminals before a Body of Men,

Men, which chiefly conſiſted of their profeſſed Adverſaries. When they firſt appeared in the Synod, and *Epiſcopius* in the Name of the reſt of them, talked of entring into a regular Conference about the Points in difference; they were immediately given to underſtand, that no Conference was intended, but that their only Buſineſs was to deliver their Sentiments, and humbly to wait for the Judgment of the Council concerning them. *Epiſcopius*, in the Name of his Brethren, declared, that they did not own the Synod for their lawful Judges, becauſe moſt of that Body were their avowed Enemies, and Fomenters and Promoters of the unhappy Schiſm amongſt them; upon which they were immediately reprimanded by the Preſident, for impeaching and arraigning their Authority, and preſuming to preſcribe Laws to thoſe whom the *States General* had appointed for their Judges. The Divines of *Geneva* added upon this Head, *That if People obſtinately refuſed to ſubmit to the lawful Determinations of the Church, there then remained two Methods to be uſed againſt them; the one, that the civil Magiſtrate might ſtretch out his Arm of Compulſion; the other, that the Church might exert her Power, in order to ſeparate and cut off by a publick Sentence, thoſe who violated the Laws of God.* After many Debates on this Head, between the Synod and the Remonſtrants, who adhered to their Reſolution, of not owning the Synod for their Judges, they were turned out of it by *Bogerman* the Preſident with great Inſolence and Fury; to the high Diſſatisfaction of many of the foreign Divines. Act. Syn. Dord. Seſſ. 22.

After the Holy Synod had thus rid themſelves of the Remonſtrants, whoſe Learning and good Senſe would have rendered them exceeding troubleſome to this Aſſembly, they proceeded to fix the Faith; and as they had no Oppoſition to fear, and were almoſt all of one ſide, at leaſt in the main Points, they agreed in their Articles and Canons; and in their Sentence againſt the Remonſtrant Clergy who had been cited to appear before them; which was to this Effect: "They beſeeched and charged in the Name of Chriſt, all and ſingular "the Miniſters of the Churches throughout the united *Netherlands*, &c. that "they forſake and abandon the well known five Articles of the Remonſtrants, "as being falſe, and no other than Secret Magazines of Errors —— And "whereas ſome, who are gone out from amongſt us, calling themſelves Re"monſtrants, have out of private Views and Ends, unlawfully violated the "Diſcipline and Government of the Church —— have not only trumped up "old Errors, but hammered out new ones too —— have blackened and ren"dered odious the eſtabliſhed Doctrine of the Church with impudent Slan"ders and Calumnies, without end or meaſure, have filled all Places with "Scandal, Diſcord, Scruples, Troubles of Conſcience —— all which heinous "Offences ought to be reſtrained and puniſhed in Clergymen with the ſevereſt "Cenſures: Therefore this national Synod —— being aſſured of its own "Authority —— doth hereby declare and determine, that thoſe Miniſters, "who have acted in the Churches as Heads of Factions, and Teachers of Er"rors, are guilty, and convicted of having violated our Holy Religion, "having made a Rent in the Unity of the Church, and given very great Scan"dal: And as for thoſe who were cited before this Synod, that they are be-

" ſides guilty of intolerable Diſobedience —— to the Commands of the " venerable Synod: For all which Reaſons the Synod doth in the firſt Place, " diſcharge the aforeſaid cited Perſons from all eccleſiaſtical Adminiſtrations, " and deprive them of their Offices, judging them likewiſe unworthy of any " academical Employment —— And as for the reſt of the Remonſtrant Cler- " gy, they are hereby recommended to the Provincial Synods, Claſſes and " Conſiſtories —— who are to take the utmoſt care —— that the Patrons of " Errors be prudently diſcovered; that all obſtinate, clamorous, and factious " Diſturbers of the Church, under their Juriſdiction, be forthwith deprived " of their eccleſiaſtical and academical Offices —— And they the ſaid provin- " cial Synods are therefore exhorted —— to take a particular Care, that they " admit none into the Miniſtry who ſhall refuſe to ſubſcribe, or promiſe to " preach the Doctrine aſſerted in theſe Synodical Decrees; and that they ſuf- " fer none to continue in the Miniſtry, by whoſe publick Diſſent the Doctrine " which hath been ſo unanimouſly approved by all the Members of this Synod, " the Harmony of the Clergy, and the Peace of the Church, may be again " diſturbed —— And they moſt earneſtly and humbly beſeech their gracious " God, that their High Mightineſſes may ſuffer and ordain this wholeſome " Doctrine, which the Synod hath faithfully expreſſed —— to be maintained " alone, and in its Purity within their Provinces —— and reſtrain turbulent " and unruly Spirits —— and may likewiſe put in Execution the Sentence " pronounced againſt the above-mentioned Perſons —— and ratify and con- " firm the Decrees of the Synod by their Authority.

The States readily obliged them in this Chriſtian and Charitable Requeſt; for as ſoon as the Synod was concluded the old Advocate *Barnevelt* was beheaded, who had been a zealous and hearty Friend to the Remonſtrants and their Principles; and *Grotius* condemned to perpetual Impriſonment; and becauſe the cited Miniſters would not promiſe wholly, and always to abſtain from the Exerciſe of their miniſterial Functions, the States paſſed a Reſolution for the baniſhing of them, on pain if they did not ſubmit to it, of being treated as Diſturbers of the publick Peace. And though they only begged a reſpite of the Sentence for a few Days, to put their Affairs in order, and to provide themſelves with a little Money to ſupport themſelves and Families in their Baniſhment, even this was unmercifully denied them, and they were hurried away next Morning by four a Clock, as though they had been Enemies to the Religion and Liberties of their Country.

Such was the Effect of this famous Preſbyterian Synod, who behaved themſelves as tyrannically towards their Brethren, as any prelatical Council whatſoever could do; and to the Honour of the Church of *England* it muſt be ſaid, that they owned their Synodical Power, and concurred by their Deputies, *Carleton* Biſhop of *Landaff*, *Hall*, *Davenant*, and *Ward*, in condemning the Remonſtrants, in excommunicating and depriving them, and turning them out of their Churches, and in eſtabliſhing both the Diſcipline and Doctrines of *Geneva* in the *Netherlands*. For after the Council was ended, the Remonſtrants were every where driven out of their Churches, and prohibited from holding any private Meetings, and many

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of them baniſhed on this very account. The Reader will find a very particular Relation of theſe Tranſactions, in the learned *Gerard Brandt*'s Hiſtory of the Reformation of the *Low Countries*, to which I muſt refer him.

If we look into our own Country we ſhall find numerous Proofs of the ſame antichriſtian Spirit and Practice. Even our firſt Reformers, who had ſeen the Flames which the Papiſts had kindled againſt their Brethren, yet lighted Fires themſelves to conſume thoſe who differed from them. *Cranmer*'s Hands were ſtained with the Blood of ſeveral. He had a Share in the Proſecution and Condemnation of that pious and excellent Martyr *John Lambert*; and conſented to the Death of *Ann Askew*, who were burnt for denying the corporal Preſence, which, though *Cranmer* then believed, he ſaw afterwards reaſon to deny. In the Year 1549. *Joan Bocher* was condemned for ſome enthuſiaſtical Opinions about Chriſt, and delivered over to the ſecular Power. The Sentence being returned to the Council, King *Edward* VI. was moved to ſign a Warrant for her being burnt, but could not be prevailed with to do it. *Cranmer* endeavoured to perſuade him by ſuch Arguments as rather ſilenced than ſatisfied the young King. So he ſet his Hand to the Warrant with Tears in his Eyes, ſaying to the Archbiſhop, that if he did wrong, ſince it was in Submiſſion to his Authority, he ſhould anſwer for it to God. Though this ſtruck *Cranmer* with Horror, yet he at laſt put the Sentence in Execution againſt her. About two Years after one *George Van Pare*, a *Dutch* Man, was accuſed before them, for ſaying, That God the Father was only God, and that Chriſt was not very God. And though he was a Perſon of a very holy Life, yet becauſe he would not abjure, he was condemned for Hereſy, and burnt in *Smithfield*. The Archbiſhop himſelf was afterwards burnt for Hereſy, which, as *Fox* obſerved, many looked on a juſt Retaliation from the Providence of God, for the cruel Severities he had uſed towards others.

*Great-Britain.*

Burnet's Hiſt. Ref. Vol. II. p. 106, 107.

The Controverſy about the Popiſh Habits was one of the firſt that aroſe amongſt the *Engliſh* Reformers. *Cranmer* and *Ridley* were zealous for the Uſe of them, whilſt other very pious and learned Divines were for laying them aſide, as the Badges of Idolatry and Antichriſt. Amongſt theſe was Doctor *Hooper*, nominated to the Biſhoprick of *Gloceſter*; but becauſe he refuſed to be conſecrated in the old Veſtments, he was, by Order of Council firſt ſilenced, and then confined to his own Houſe; and afterwards, by *Cranmer*'s Means, committed to the *Fleet* Priſon, where he continued ſeveral Months.

In the beginning of Queen *Elizabeth*'s Reign, *A. C.* 1559. an Act paſſed for the Uniformity of Common Prayer, and Service in the Church, and Adminiſtration of the Sacraments, by which the Queen and Biſhops were empowred to ordain ſuch Ceremonies in Worſhip, as they ſhould think for the Honour of God, and the Edification of his Church. This Act was rigorouſly preſſed, and great Severities uſed to ſuch as could not comply with it. *Parker* Archbiſhop of *Canterbury*, made the Clergy ſubſcribe to uſe the preſcribed Rites and Habits, and cited before him many of the moſt famous Divines who ſcrupled them, and would allow none to be preſented to Livings, or preferred in the Church, without an intire Conformity. He ſummoned the whole Body

*Queen Elizabeth.*

of

of the *London* Paſtors and Curates to appear before him at *Lambeth*, and immediately ſuſpended Thirty ſeven, who refuſed to ſubſcribe to the Unity of Apparel, and ſignified to them, that within three Months they ſhould be totally deprived if they would not conform. So that many Churches were ſhut up; and though the People were ready to mutiny for want of Miniſters, yet the Archbiſhop was deaf to all their Complaints, and in his great Goodneſs and Piety was reſolved they ſhould have no Sacraments or Sermons without the Surplice and the Cap. And in order to prevent all Oppoſition to Church Tyranny, the *Star Chamber* publiſhed a Decree for Sealing up the Preſs, and prohibiting any Perſon to print or publiſh any Book againſt the Queen's Injunctions, or againſt the Meaning of them. This Decree was ſigned by the Biſhops of *Canterbury* and *London*.

This rigid and fanatical Zeal for Habits and Ceremonies, cauſed the Puritans to ſeparate from the Eſtabliſhed Church, and to hold private Aſſemblies for Worſhip. But the Queen and her Prelates ſoon made them feel their Vengeance. Their Meetings were diſturbed, and thoſe who attended them apprehended, and ſent in large Numbers, Men and Women, to *Bridewell*, for Conviction. Others were cited into the *Spiritual Courts*, and not diſcharged till after long Attendance and great Charges. Subſcriptions to Articles of Faith were violently preſſed upon the Clergy, and about one Hundred of them were deprived, *Anno* 1572. for refuſing to ſubmit to them. Some were cloſely impriſoned, and died in Gaol, through Poverty and Want. And that ſerious Piety, and Chriſtian Knowledge might gain Ground, as well as Uniformity, the Biſhops, by order of the Queen, put down the Propheſyings of the Clergy, *Anno* 1574. who were forbid to aſſemble, as they had done for ſome Years, to diſcourſe with one another upon religious Subjects and Sermons; and as ſome ſerious Perſons of the Laity were uſed to meet on Holy Days, or after they had done work, to read the Scriptures, and to improve themſelves in Chriſtian Knowledge; the Parſons of the Pariſhes were ſent for, and ordered to ſuppreſs them. Eleven *Dutch* Men, who were Anabaptiſts, were condemned in the Conſiſtory of St. *Paul* to the Fire, for Hereſy; nine of whom were baniſhed, and two of them burnt alive in *Smithfield*. In the Year 1583. *Copping* and *Thacker*, two Puritan Miniſters, were hanged for Non-Conformity. It would be endleſs to go through all the Severities that were uſed in this Reign upon the Account of Religion. As the Queen was of a very high and arbitrary Temper, ſhe preſſed Uniformity with great Violence, and found Biſhops enough, *Parker*, *Aylmer*, *Whitgift*, and others, to juſtify and promote her Meaſures; who either enter'd their Sees with perſecuting Principles, or embraced them ſoon after their Entrance, as beſt befitting the Ends of their Promotion. Silencings, Deprivations, Impriſonments, Gibbets, and Stakes, upon the Account of Religion, were ſome of the powerful Reaſonings of thoſe Times. The Biſhops rioted in Power, and many of them abuſed it to the moſt cruel Oppreſſions. The Cries of innocent Priſoners, widowed Wives, and ſtarving Children, made no Impreſſion on their Hearts. Piety and Learning with them were void of Merit. Refuſal of

Subſcriptions, and Non-Conformity were Crimes never to be forgiven. A particular Account of theſe Things may be ſeen in Mr. *Neal*'s excellent Hiſtory of the Puritans, who hath done Juſtice to that Subject. I ſhall only add, That the Court of High-Commiſſion eſtabliſhed in this Reign, by the Inſtigation of *Whitgift*, Archbiſhop of *Canterbury*, by which the Commiſſioners were impowered to enquire into all Miſdemeanors, by all ſuch Ways and Means as they could deviſe, and thought neceſſary, to examine Perſons upon Oath, and to puniſh thoſe who refuſed the Oath by Fine or Impriſonment, according to their Diſcretion, was an high Stretch of the Prerogative, and had a very near Reſemblance to the Courts of Inquiſition, and the Cruelties that were practiſed in it, and the exorbitant Fines that were levied by it in the two following Reigns, made it the univerſal Abhorrence of the Nation, ſo that it was diſſolved by Parliament, with a Clauſe that no ſuch Court ſhould be erected for the future.

King *James* I. who was bred up in the Kirk of *Scotland*, which profeſſed the Faith and Diſcipline of thoſe called Puritans in *England*; and though he bleſſed God, *For honouring him to be King over ſuch a Kirk, the ſincereſt Kirk in the World*, yet, upon his Acceſſion to the *Engliſh* Throne, ſoon ſhewed his Averſion to the Conſtitution of that Kirk; and to their Brethren, the Puritans in *England*. Theſe were ſolicitous for a farther Reformation in the Church, which the Biſhops oppoſed, inſtilling this Maxim into the King, *No Biſhop no King*; which, as ſtale and falſe a Maxim as it is, hath been lately trumpt up, and publickly recommended, in a Sermon on the 30th of *January*. In the Conference at *Hampton* Court his Majeſty not only ſided with the Biſhops, but aſſured the Puritan Miniſters, who were ſent for to it, that *he had not called the Aſſembly together for any Innovations, for that he acknowledged the Government Eccleſiaſtical, as it then was, to have been approved by God himſelf*; giving them to underſtand, that *if they did not conform, he would either hurry them out of the Kingdom, or elſe do worſe*. And theſe Reaſonings of the King's were ſo ſtrong, that *Whitgift*, Archbiſhop of *Canterbury*, with an impious and ſordid Flattery ſaid, *He was verily perſuaded that the King ſpoke by the Spirit of God.* 'Twas no wonder that the Biſhops, thus ſupported by an inſpired King, ſhould get an eaſy Victory over the Puritans, which poſſibly they would not have done, had his Majeſty been abſent, and the Aids of his Inſpiration withdrawn, ſince the Archbiſhop did not pretend that himſelf or his Brethren had any ſhare of it. But having thus gotten the Victory, they ſtrove by many Methods of Violence to maintain it; and uſed ſuch Severities towards the Non-Conformiſts, that they were forced to ſeek Refuge in foreign Countries. The Truth is, this Conference at *Hampton* Court was never intended to ſatisfy the Puritans, but as a Blind to introduce Epiſcopacy into *Scotland*, and to ſubvert the Conſtitution and Eſtabliſhment of that Church.

James I. Wilſon. Heylin's *Life of* Laud, p. 58.

His Majeſty, in one of his Speeches to his Parliament, tells them, that *he was never violent and unreaſonable in his Profeſſion of Religion.* I believe all Mankind will now acquit him of any violent and unreaſonable Attachment to the Proteſtant Religion and Liberties. He added in the ſame Speech, it may be queſtion-

queſtioned, whether by Inſpiration of the Spirit, *I acknowledge the Roman Church to be our Mother Church, although defiled with ſome Infirmities and Corruptions.* And he did behave as a very dutiful Son of that Mother Church, by the many Favours he ſhewed to the Papiſts during his Reign, by his Proclamations for Uniformity in Religion, and encouraging and ſupporting his Biſhops in their Perſecutions of ſuch as differ'd from, or could not ſubmit to them. *Bancroft*, promoted to the Archbiſhoprick of *Canterbury*, was, as the Hiſtorian calls him, *A ſturdy Piece*, a cruel and inflexible Perſecutor, treating the Non-Conformiſts with the greateſt Rigor and Severity; and who, as *Heylin* tells us, *was reſolved to break them, if they would not bow.* He put the Canons and Conſtitutions agreed on *A. C.* 1603. furiouſly into Execution, and ſuch as ſtood out againſt them, he either deprived or ſilenced. And indeed, as the aforementioned Author ſays, *Who could ſtand againſt a Man of ſuch a Spirit, armed with Authority, having the Law on his Side, and the King to his Friend.* During his being Archbiſhop he deprived, ſilenced, ſuſpended, and admoniſhed, above three Hundred Miniſters. The V o'ences he and his Brethren uſed in the High-Commiſſion Courts, render'd it a publick Grievance. *Every Man muſt conform to the Epiſcopal Way, and quit his Hold in Opinion or Safety. That Court was the Touchſtone, to try whether Men were Metal for their Stamp; and if they were not ſoft enough to take ſuch Impreſſions as were put upon them, they were made malleable there, or elſe they could not paſs current. This was the beginning of that Miſchief, which when it came to a full Ripeneſs, made ſuch a bloody Tincture in both Kingdoms, as never will be got out of the Biſhop's Lawn Sleeves.* But nothing diſpleaſed the ſober Part of the Nation more, than the Publication of the Book of Sports, which the Biſhops procured from the King, and which came out with a Command, enjoining all Miniſters to read it to their Pariſhioners, and to approve of it; and thoſe who did not, were brought into the High-Commiſſion, impriſoned, and ſuſpended; this Book being only a Trap to catch ſome conſcientious Men, that they could not otherwiſe, with all their Cunning, enſnare. *Theſe, and ſuch like Machinations of the Biſhops*, ſays my Author, *to maintain their temporal Greatneſs, Eaſe, and Plenty, made the Stones in the Walls of their Palaces, and the Beam in the Timber afterwards cry out, moulder away, and come to nothing*; and cauſed their Light to go out *Offenſive to the Noſtrils of the Rubbiſh of the People.* Indeed many of the King's Biſhops, ſuch as *Bancroft*, *Neal*, and *Laud*, who was a reputed Papiſt in *Oxford*, and a Man of a dangerous, turbulent Spirit, were fit for any Work; and as they don't appear to have had any Principles of real Piety themſelves, they were the fitteſt Tools that could be made uſe of to perſecute thoſe who had. *Neal*, when he was Biſhop of *Litchfield* and *Coventry*, proſecuted one *Edward Wightman*, for broaching erroneous Doctrine, and having canonically condemned him, got the King's Warrant for his Execution, and he was accordingly burnt in *Litchfield*. One *Legat* alſo, was proſecuted and condemned for Hereſy, by *King* Biſhop of *London*, and expired in the Flames of *Smithfield*. He denied the Divinity of our Saviour, according to the *Athanaſian* Mode of explaining it; but, as *Fuller* tells us, he was excellently ſkilled in Scripture, and his

Wilſon. *Life of* Laud, p. 58.

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Converſation very unblameable. But as theſe Sacrifices were unacceptable to the People, the King preferred, that Hereticks hereafter, though condemn'd, ſhould ſilently and privately waſte themſelves away in Priſon, rather than to amuſe others with the Solemnity of a publick Execution.

In the Reign of the Royal Martyr, the Church was in the Height of her Glory and Power; though ſuch is the Fate of all human Things, that ſhe ſoon ſicken'd, languiſhed, and died. *Laud* carried all before him, and ruled the Church with a Rod of Iron; and though he ſeems to have had too much Pride to ſubmit to the Pope of *Rome*, he acted the Part of a Pope himſelf, allowing himſelf, as *Heylin* tells us, to be addreſſed under the Titles of *Holineſs*, and *moſt holy Father*. The Things he ſeemed principally to have had at Heart, were the introducing an arbitrary Government into the State, the Suppreſſion and Extirpation of Nonconformity, and bringing the Church of *England*, in Rites and Ceremonies, to as near a Reſemblance as poſſibly he could, to the Church of *Rome*. This appears, by his protecting *Montague*, *Manwaring* and *Sibthorp*, who had infamouſly preach'd up the King's abſolute Power, and making the two former Biſhops of the Church; by his perſecuting the Puritan Miniſters in the Star-Chamber and High Commiſſion Court, who, as *Heylin* tells us, *Laud* uſed to ſay, were as bad as the Papiſts, impriſoning and fining, and forcing many others to take Sanctuary in *New England*; by his putting down and ſilencing all Lecturers throughout the ſeveral Dioceſes of the Kingdom, by his ſuſpending and ejecting ſuch as refuſed to read the Book of Sports, by his forcing the *French* and *Dutch* Churches to a Conformity with the Rites and Ceremonies of the Church of *England*, by his obliging the *Scots* to receive Epiſcopacy, a Liturgy and Canons, by his forming new Articles and eccleſiaſtical Conſtitutions for the *Engliſh* Clergy, and enjoining them a ſtrict Oath for the preventing of all Innovations; by the many Popiſh Superſtitions he introduced into the publick Worſhip, ſuch as Altars, Tapers, Candles, Candleſticks, Copes, Hoods, Images, Pictures, Cringes, Bows, Conſecrations, and the like, and by the Lenity that was ſhewn throughout the whole of his Adminiſtration to the Papiſts themſelves, whilſt many worthy and learned Proteſtant Gentlemen and Divines were treated with the utmoſt Indignity and Barbarity; ſome of them dying in Goal, and others being made to undergo the moſt cruel bodily Puniſhments, for daring to oppoſe the arbitrary and ſuperſtitious Proceedings of this furious and relentleſs Prelate. No Man of Compaſſion can read his Treatment of Dr. *Leighton* without being ſhocked and moved in the ſame tender Manner as the Houſe of Commons were, who ſeveral Times interrupted, by their Tears, the reading of the Doctor's Petition; which I ſhall here preſent my Reader with entire, and leave him to form what Character he pleaſes of the Man, that could contrive and carry on ſuch a Scene of barbarous and execrable Cruelty. Charles I.

*To the Honourable and High Court of Parliament, The humble Petition of* Alexander Leighton, *Priſoner in the* Fleet;

Humbly Sheweth,

*HOW your much and long diſtreſſed Petitioner, on the 17th of* February *gone ten Years, was apprehended in* Black-Fryers, *coming from the Sermon, by a high Commiſſion Warrant (to which no Subject's Body is liable) and thence, with a Multitude of Staves and Bills, was dragged along (and all the way reproached by the Name of Jeſuit and Traitor) till they brought him to* London-houſe, *where he was ſhut up, and, by a ſtrong Guard, kept (without Food) till ſeven of the Clock, till Dr.* Laud, *then Prelate of* London, *and Dr.* Corbet, *then of* Oxford, *returned from* Fulham-houſe, *with a Troop attending. The Goaler of* Newgate *was ſent for, who came with Irons, and with a ſtrong Power of Halberts and Staves; they carried your Petitioner through a blind hollow Way, without Pretence or Examination, and opening up a Gate into the Street (which ſome ſay, had not been opened ſince Queen* Mary's *Days) they thruſt him into a loathſome and ruinous Dog-hole, full of Rats and Mice, which had no Light but a little Grate; and the Roof being uncovered, the Snow and Rain beat in upon him, having no Beding, nor Place to make a Fire, but the Ruins of an old ſmoaky Chimney; where he had neither Meat nor Drink, from the* Tueſday *at Night, till the* Thurſday *at Noon. In this woful Place, and doleful Plight, they kept him cloſe, with two Doors ſhut upon him, for the Space of fifteen Weeks, ſuffering none to come at him, till at length, his Wife was only admitted.*

*The fourth Day after his Commitment, the High Commiſſion Purſevants came (under the Conduct of the Sheriffs of* London) *to your Petitioner's Houſe, and a mighty Multitude with them; giving out, that they came to ſearch for Jeſuits Books. There thoſe violent Fellows of Prey laid violent Hands upon your Petitioner's diſtreſſed Wife, with ſuch barbarous Inhumanity as he is aſhamed to expreſs; and ſo rifled every Soul in the Houſe, holding a bent Piſtol to a Child's Breaſt of five Years old, threatning to kill him, if he would not tell where the Books were; through which, the Child was ſo affrighted that he never caſt it. They broke open Preſſes, Cheſts, Boxes, the Boards of the Houſe, and every Thing they found in the Way, though they were willing to open all. They, and ſome of the Sheriffs Men, ſpoiled, robbed, and carried away all the Books and Manuſcripts they found, with Houſhold Stuff, your Petitioner's Apparel, Arms, and other Things; ſo that they left nothing that liked them; notwithſtanding, your Petitioner's Wife told the Sheriffs, they might come to reckon for it. They carried alſo a great Number of divers of your Petitioner's Books, and other Things, from one Mr.* Archer's *Houſe, as he will teſtify. Further, your Petitioner being denied the Copy of his Commitment, by the Goaler of* Newgate, *his Wife, with ſome Friends, repaired to the Sheriff, offering him bail, according to the Statute in that behalf; which being ſhew'd by an Attorney at Law, the Sheriff replied, That he wiſhed the Laws of the Land and Privileges of the Subject, had never been named in the Parliament,* &c. *Your Petitioner (having thus ſuffered in Body, Liberty, Family,*

*Eſtate, and Houſe) at the End of fifteen Weeks was ſerved with a Subpœna, on Information laid againſt him by Sir* Robert Heath, *then his Majeſty's Attorney-General; whoſe Dealing with your Priſoner was full of Cruelty and Deceit. In the mean Time it did more than appear, to four Phyſicians, that Poiſon had been given him in* Newgate; *for his Hair and Skin came off in a Sickneſs (deadly to the Eye) in the Height whereof, as he did lie, cenſure was paſt againſt him in the Star Chamber, without hearing (which had not been heard of) notwithſtanding of a Certificate from four Phyſicians, and Affidavit made by an Attorney, of the Deſperateneſs of the Diſeaſe. But nothing would ſerve Dr.* Laud, *but the higheſt Cenſure that ever was paſt in that Court, to be put upon him; and ſo it was to be inflicted with Knife, Fire, and Whip, at and upon the Pillory, with ten thouſand Pounds Fine; which ſome of the Lords conceived ſhould never be inflicted, only it was impoſed (as on a dying Man) to terrify others. But the ſaid Doctor and his Combinants, cauſed the ſaid Cenſure to be executed the 26th Day of* November *following (with a Witneſs) for the Hang-man was armed with Strong-drink all the Night before, in Priſon, and, with threatning Words, to do it cruelly. Your Petitioner's Hands being tied to a Stake (beſides all other Torments) he received thirty ſix Stripes with a trible Cord; after which, he ſtood almoſt two Hours on the Pillory, in cold Froſt and Snow, and ſuffered the reſt; as cutting off the Ear, firing the Face, and ſlitting of the Noſe; ſo that he was made a Theatre of Miſery to Men and Angels: And being ſo broken with his Sufferings that he was not able to go, the Warden of the* Fleet *would not ſuffer him to be carried in a Coach; but he was forced to go by Water, to the further indangering of his Life; returning to the Goal after much harſh and cruel Uſage, for the Space of eight Years, paying more for a Chamber then the Worth of it (having not a bit of Bread, nor drop of Water allowed.) The Clerk of the* Fleet, *to top up your Petitioner's Sufferings, ſent for him to his Office, and without Warrant, or Cauſe given by your Petitioner, ſet eight ſtrong Men-fellows upon him, who tore his Clothes, bruiſed his Body, ſo that he was never well, and carried him by Head and Heels, to that loathſome and common Goal, where, beſides the Filthineſs of the Place and Vileneſs of the Company, divers Contrivances were laid for taking away the Life of your Petitioner, as ſhall manifeſtly appear, if your Honours will be pleaſed to receive and peruſe a Schedal of that Subject.*

*Now the Cauſe of all this harſh, cruel, and continued ill Uſage, unparalled yet upon any one ſince* Britain *was bleſſed with Chriſtianity, was nothing but a Book written by your Petitioner, called* Pious Plea againſt the Prelacy; *and that, by the Call of divers and many good Chriſtians in the Parliament Time, after divers Refuſals given by your Petitioner, who would not publiſh it being done, till it had the View and Approbation of the beſt in the City, Country, and Univerſity, and ſome of the Parliament it ſelf: In Witneſs whereof he had about* 500 *Hands; for revealing of whoſe Names he was promiſed more Favours by Sir* Robert Heath *then he will ſpeak of: But denying to turn Accuſer of his Brethren he was threaten'd with a Storm, which he felt to the full; wherein (through God's Mercy) he had lived; though but lived, chuſing rather to lay his Neck to the Yoke for others, then to releaſe himſelf by others Sufferings.*

*Further, the Petitioner was robbed of divers Goods, by one* Lightborn, Graves, *and others, Officers and Servants of the* Fleet, *amounting towards the Value of thirty Pounds, for which* Lightborn *offered Compoſition (by a ſecond Hand) upon the hearing of the Approach of Parliament; but your Petitioner (notwithſtanding his Neceſſity) refuſed to hearken to any ſuch illegal and dangerous way. To innumerate the reſt of your Petitioner's heavy Preſſures, would take up a Volume, with which he will not burden your Honours, till further Opportunity.*

*And therefore, he humbly and heartily intreateth, that you would be graciouſly pleaſed to take this his Petition into your ſerious Thoughts, and to command Deliverance, that he may plead his own Cauſe, or rather Chriſt's and the States. As alſo to afford ſuch Coſt and Damages as he has ſuffer'd in Body, Eſtate, and Family, having been Priſoner (and that, many Times) in the moſt naſty Priſons, eleven Years, not ſuffered to breath in the open Air: To which, give him leave to add his great Sufferings in all thoſe Particulars, ſome ſixteen Years ago, for publiſhing a Book, called,* The Looking-glaſs of Holy War.

*Further, as the Cauſe is Chriſt's and the States, ſo your Petitioner conceiveth (under Correction) that the Subject of the Book will be the prime and main Matter of your Agitation, to whoſe Wiſdom he hopeth the Book ſhall approve it ſelf.*

*Alſo your Petitioner's wearing Age, going now in ſeventy two Years, together with the Sickneſſes and Weakneſs of his long diſtreſſed Wife, require a ſpeedy Deliverance.*

*Laſtly, the Sons of Death, the Jeſuits, and Jeſuited, have ſo long inſulted in their own licentious Liberty, and over the Miſeries of your Servant and others; who, forbearing more Motives, craves Pardon for his Prolixity, being neceſſitated thereto from the Depth and Length of his Miſeries. In all which he ceaſeth not to pray,* &c. *and,*

*Kiſſeth your Hands.*

Prov. xxiv. 11.

*Wilt thou not deliver them that are drawn unto Death, and thoſe that are ready to be ſlain?*

Theſe and the like Violences of *Laud* and his Creatures drew down the juſt Vengeance of the Parliament on his Head, and involved the Church of *England* it ſelf in his Ruin. Biſhops and Common Prayer were now no more. The Church was formed after a quite different Model; and the Preſbyterian Diſcipline received and eſtabliſhed; both the Lords and Commons taking the ſolemn League and Covenant, which was intended for the utter aboliſhing prelatical Government. The Writers of the Church Party think this an everlaſting Brand of Infamy upon the Preſbyterians. But how doth this throw greater Infamy upon them, than the Subverſion of Preſbytery in *Scotland*, and the impoſing Canons and Common Prayer on that Nation, doth on *Laud* and his Creatures? If the Alteration of the eſtabliſhed Religion, in any Nation, be a Crime, in it ſelf, 'tis ſo in every Nation; and I doubt not but the *Scotch* Preſbyterians think that that Archbiſhop, and the prelatical Party, acted as unjuſtly, illegally, and tyrannically, in introducing the *Engliſh* Form of Church Government and Worſhip into *Scotland*, contrary to their former Settlement, and the Inclination of almoſt the whole Nation, as the High-Church Party can do with reſpect to the Preſby-

Preſbyterians, for altering the Form of the Eſtabliſhment in *England*: And, indeed, the ſame Arguments that will vindicate the Alterations made in *Scotland* by the King and the Biſhops, will vindicate thoſe made in *England* by the Parliament and the Preſbyterians.

It would have been highly honourable to the Preſbyterian Party, had they uſed their Power, when in Poſſeſſion of it, with Moderation, and avoided all thoſe Methods of Perſecutions and Suſpenſions they had themſelves felt the Effects of in former Times. But to do them Juſtice, they had no great Inclination for moderate Meaſures. As ſoon as they came into the Church, all others muſt out who would not comply, and ſubmit to Sequeſtrations and Impriſonments. The ſolemn League and Covenant was impoſed and rigorouſly exacted of all People, as they would eſcape the Brand and Penalty of Malignants. Many of the Epiſcopal Clergy, both in the City and Country, were expelled their Livings, though by a Generoſity, not afterwards imitated by them, Proviſion was made for the Support of their Wives and Children. The Lord Mayor, Aldermen, and Common-Council-Men of *London*, preſented a Remonſtrance to the Parliament, deſiring a ſtrict Courſe for ſuppreſſing all private and ſeparate Congregations; that all Anabaptiſts, Hereticks, *&c.* as not conformed to the publick Diſcipline, may be declared and proceeded againſt; that all be required to obey the Government ſettled, or to be ſettled, and that none diſaffected to the Presbyterian Government, be employ'd in any Place of publick Truſt. An Ordinance of Parliament was made, by which every Miniſter that ſhould uſe the Common-Prayer in Church or Family, was to forfeit five Pounds for the firſt Time, ten Pounds for the ſecond, and to ſuffer a Years Impriſonment for the third. Alſo every Miniſter, for every Neglect of the Directory, was to pay forty Shillings; and for every Contempt of it, by writing or preaching, to forfeit, at the Diſcretion of thoſe before whom he was convicted, any Sum not under five Pounds, nor above fifty Pounds. The Parliament alſo appointed Elderſhips to ſuſpend, at their Diſcretion, ſuch whom they ſhould judge to be ſcandalous, from the Sacrament, with a Liberty of Appeal to the claſſical Elderſhip, *&c.* They ſet up alſo arbitrary Rules about the Examination and Ordination of Miniſters by *Triers*, who were to be ſound in Faith, and ſuch as uſually received the Sacrament. And in theſe Things they were quicken'd by the *Scots*, who complained that Reformation moved ſo ſlowly, and that Sects and Errors encreaſed, and Endeavours were uſed for their Toleration. Great Reſtraints alſo were put upon the Liberty of the Preſs, by ſeveral Ordinances made for that Purpoſe. And to ſay the truth, when they once got Preſbytery eſtabliſhed, they uſed the ſame Methods of Suſpenſions, Sequeſtrations and Fines that the prelatical Party had done before, though not with equal Severity; and were as zealous for Uniformity in their own Covenant and Diſcipline, as the Biſhops were for Hierarchy, Liturgy, and Ceremonies.

*Presbyterians.*

But the Triumphs of the Preſbytery and Covenant, were but ſhort. Upon the Reſtoration of the Royal Wanderer, *Charles* II. Prelacy immediately revived, and exerted it ſelf in its primitive Vigour and Severity. In his Ma-

*Charles II.*

jeſty's firſt Declaration to his loving Subjects, he was pleaſed to promiſe *a Liberty to tender Conſciences, and that no Man ſhould be diſquieted or called in Queſtion for Differences of Opinion in Matters of Religion; and that he would conſent to an Act of Parliament for the full granting that Indulgence.* But other Meaſures ſoon prevailed. In the ſecond Year after his Reſtoration, the Act of Uniformity was paſſed, by which all Miniſters were to read, and *publickly declare unfeigned Aſſent and Conſent to all and every Thing contained in, and preſcribed by the Book of Common Prayer*, before the Feaſt of St. *Bartholomew*, then enſuing, under the Penalty of immediate and abſolute Deprivation. The Conſequence of this Act was, that between two and three thouſand excellent Divines were turned out of their Churches; many of them, to ſay the leaſt, as eminent for Learning and Piety as the Biſhops, who were the great Promoters of this barbarous Act; and themſelves and Families, many of them, expoſed to the greateſt Diſtreſs and Poverty. This cruel Injuſtice obliged the ejected Miniſters, and their Friends, to ſet up ſeparate Congregations, and occaſioned ſuch a Diviſion from the eſtabliſhed Church, as will, I hope, ever remain, to witneſs againſt the Tyranny of thoſe Times, and the reverend Authors and Promoters of that Act, to maintain the Spirit and Practice of ſerious Religion, and as a publick Proteſtation for the civil and religious Liberties of Mankind, till Time ſhall be no more, or till the Church ſhall do her ſelf the Juſtice and Honour to open wide her Gates, for the Reception of all into her Communion and Miniſtry, who are not rendered incapable of either by Jeſus Chriſt, the great Shepherd and Biſhop of Souls. But however, Meaſures were then ſoon taken to diſturb their Meeting. In 1664. the Bill againſt frequenting Conventicles paſſed; the firſt Offence made puniſhable with five Pounds, or three Months Impriſonment; the ſecond Offence with ten Pounds, or ſix Months Impriſonment; and the third with Baniſhment to ſome of the foreign Plantations; ſham Plots, being father'd on the Diſſenters, to prepare the Way for theſe Severities. But ſome of the Biſhops, ſuch as *Sheldon*, *Ward*, *Wrenn*, &c. did not think theſe Hardſhips enough, and therefore, notwithſtanding the Devaſtations of the Plague, and tho' ſeveral of the ejected Miniſters ſhewed their Piety and Courage, in ſtaying and preaching in the City during the Fury of it, the five Mile Act was paſſed againſt them the next Year, at *Oxford*; by which, all the ſilenced Miniſters were obliged to take an Oath, that it was not lawful, on any Pretence whatſoever, to take Arms againſt the King, or any commiſſion'd by him; and that they would not, at any time, endeavour an Alteration in the Government of Church and State. Such who ſcrupled the Oath, were forbid to come within five Miles of any City or Parliament Burrough, or of the Church where they had been Miniſters, under Penalty of forty Pounds, or ſix Months Impriſonment, for every Offence. After theſe things, ſeveral Attempts were ſet on Foot for a Comprehenſion, but rendered ineffectual by the Practices of the Biſhops, and particularly by *Ward*, Biſhop of *Salisbury*, who had himſelf taken the ſolemn League and Covenant: But having forſaken his firſt Principles, 'tis no Wonder he became a bitter Perſecutor. In the Year 1670. another ſevere Act was paſſed againſt them, by which it was provided, that if any Per-

Perſon, upwards of ſixteen, ſhould be preſent at any Conventicle, under Colour of exerciſing Religion, in any other Manner than according to the Practice of the Church of *England*, where there were five Perſons or more, beſides thoſe of the ſaid Houſhold, the Offenders were to pay five Shillings for the firſt Offence, and ten Shillings for the ſecond, and the Preacher to forfeit twenty Pounds for the firſt, and forty Pounds for the ſecond Offence. And thoſe who knowingly ſuffered any ſuch Conventicles in their Houſes, Barns, Yards, *&c.* were to forfeit twenty Pounds. The Effect of theſe Acts was, that great Numbers of Miniſters and their People, were laid in Goals amongſt Thieves and common Malefactors, where they ſuffered the greateſt Hardſhips and Indignities; their Effects were ſeized on, and themſelves and Families reduced to almoſt Beggary and Famine. But at length, this very Parliament which had paſſed theſe ſevere Bills againſt Proteſtant Diſſenters, began themſelves to be awakened, and juſtly grew jealous of their Religion and Liberties, from the Encreaſe of Popery: And therefore, to prevent all Dangers which might happen from Popiſh Recuſants, they paſſed, in 1673. the Teſt Act; which hath ſince been, contrary to the original Deſign of the Law, turned againſt the Proteſtant Diſſenters, and made uſe of to exclude them from the Enjoyment of thoſe Rights and Privileges which they have a natural Claim to. In the Year 1680. a Bill paſſed both Houſes of Parliament, for exempting his Majeſty's Proteſtant diſſenting Subjects from certain Penalties; but when the King came to the Houſe, to paſs the Bills, this Bill was taken from the Table, and never heard of more: And though this Parliament voted, that the Proſecution of Proteſtant Diſſenters, upon the penal Laws, was grievous to the Subject, a weakening the Proteſtant Intereſt, an Encouragement to Popery, and dangerous to the Peace of the Kingdom; yet they underwent a freſh Proſecution, their Meetings were broken up, many Miniſters impriſoned, and moſt exorbitant Fines levied on them and their Hearers.

In the Beginning of King *James*'s Reign theſe rigorous Proceedings were continued; but as the Deſign of that unhappy biggotted Prince was to ſubvert the Religion and Laws of theſe Kingdoms, he publiſhed, in the Year 1687. a Declaration for a general Liberty of Conſcience to all Perſons, of what Perſuaſion ſoever; not out of any Regard or Affection to the Proteſtant Diſſenters, but for the promoting the Popiſh Religion and Intereſt. He alſo cauſed an Order of Council to be paſſed, that his Declaration of Indulgence ſhould be read in all Churches and Chapels, in the Time of Divine Service, all over *England* and *Wales*. But though the Diſſenters uſed the Liberty which was thus granted them, and had ſeveral Opportunities to have been revenged on their former Perſecutors; yet they had too much Honour and Regard to the Proteſtant Religion and Liberties, ever to fall in with the Meaſures of the Court, or lend their Aſſiſtance to introduce arbitrary Power and Popery. And as the Divines of the Church of *England*, when they ſaw King *James*'s furious Meaſures to ſubvert the whole Conſtitution, threw off their ſtiff and haughty Carriage towards the Diſſenters, owned them for Brethren, put on the Appearance of the Spirit of Peace and Charity, and aſſured them, that no ſuch rigorous

James II.

Methods

Methods ſhould be uſed towards them for the future, Things that never entered into their Hearts whilſt they were triumphant in Power, and which nothing but a ſenſe of their own extreme Danger ſeems then to have extorted from them: The Diſſenters, far from following their Reſentments, readily entered into all Meaſures with them for the common Safety, and were amongſt the firſt and heartieſt Friends of the Revolution, under King *William* III. of glorious and immortal Memory.

Will. III. Soon after the Settlement of this Prince upon the Throne, an Act was paſſed for exempting their Majeſties Proteſtant Subjects, diſſenting from the Church of *England*, from the penal Laws; and though the King, in a Speech to the two Houſes of Parliament, told them, That he hoped they would leave Room for the Admiſſion of all Proteſtants, that were willing and able to ſerve him; agreeable to which, a Clauſe was ordered to be brought into the Houſe of Lords, to take away the neceſſity of receiving the Sacrament to make Perſons capable of Offices; yet his Majeſty's gracious Intentions were fruſtrated, and the Clauſe rejected, by a great Majority. Another Clauſe alſo that was afterwards added, That the receiving the Sacrament in the Church of *England*, or in any other Proteſtant Congregation, ſhould be a ſufficient Qualification, met with the ſame Fate as the former: So that though the Diſſenters were freed from the penal Laws, they were left under a Brand of Infamy, and render'd incapable of ſerving their King and Country, and the Lord's Supper laid open to be proſtituted by Law, to the moſt abandon'd and profligate Sinners; and an Inſtitution deſigned for the Union of all Chriſtians, made the Teſt of a Party, and the Means of their Separation from each other; a Scandal that remains upon the Church of *England* to this Day. It is indeed but too plain, that when the eſtabliſhed Church ſaw it ſelf out of Danger, ſhe forgot the Promiſes of Moderation and Condeſcention towards the Diſſenters, who readily and openly declared their Willingneſs to yield to a Coalition. But as the Clergy had formed a Reſolution of conſenting to no Alterations in order to ſuch an Union; all the Attempts made to this Purpoſe became wholly ineffectual. Indeed, their very Exemption from the penal Laws was envied them by many, and ſeveral Attempts were made to diſturb and proſecute them in this Reign, but were prevented from taking Effect by royal Injunctions.

Q. Ann. Upon the Death of King *William*, and the Succeſſion of Queen *Ann*, the Hatred of the Clergy towards the Diſſenters, that had lurked in their Breaſts, during the former Reign, immediately broke out. Several Sermons were preached to render them odious, and expoſe them to the Fury of the Mob. A Bill was brought in and paſſed by the Houſe of Commons, for preventing occaſional Conformity, impoſing an hundred Pounds Penalty upon every Perſon reſorting to a Conventicle or Meeting, after his Admiſſion into Offices, and five Pounds for every Days Continuance in ſuch Offices, after having been preſent at ſuch Conventicle. But upon ſome Diſagreement between the Lords and Commons, the Bill dropped for that Time. The ſame Bill, with ſome few Alterations, paſſed the Houſe of Commons the two next Seſſions, but was rejected by the Lords. During this Reign ſeveral Pamphlets were publiſh'd, con-

containing bitter Invectives againſt the Diſſenters, and exciting the Government to extirpate and deſtroy them. Several Proſecutions were alſo carried on againſt them for teaching Schools, *&c.* with great Eagerneſs and Malice. In 1709. an open Rebellion broke out, when the Mob pulled down the Meeting-Houſes, and publickly burnt the Pews and Pulpits. *Sacheverell* was Trumpet to the Rebellion, by preaching Treaſon and Perſecution, and the Parliament that cenſured him, was haſtily diſſolved. The Parliament that ſucceeded, 1711. was of a true Tory Spirit and Complection, and in its ſecond Seſſion, paſſed the Bill againſt occaſional Conformity. The next Parliament, which met in 1714. was of the ſame Diſpoſition, and paſſed a Bill to prevent the Growth of Schiſm, by which the Diſſenters were reſtrained from teaching Schools, or from being Tutors to inſtruct Pupils in any Family, without the Licenſe of the Archbiſhop, or Biſhop of the Dioceſe where they reſided; and the Juſtices of the Peace had Power given them finally to determine in all Caſes relating thereto. Another Bill was alſo intended to be brought in againſt them, to incapacitate them for voting in Elections for Parliament Men, or being choſen Members of Parliament themſelves.

But before theſe unjuſt Proceedings had their intended Effect, the Pro- George I.
teſtant Succeſſion, in his late Majeſty King *George* I. took Place; Queen *Ann* dying on the firſt of *Auguſt*, the very Day on which the Schiſm Bill was to have commenced; which, together with that to prevent occaſional Conformity, were both repealed by the firſt Parliament called together by that excellent Prince. And I cannot help thinking that if the Church of *England* had then conſented to have ſet the Diſſenters intirely free, by repealing the Teſt and Corporation Acts; it would have been much to its own Honour and Reputation, as well as a great Strength and Security to the national Intereſt. But the Time was not then come. We ſtill labour under the Oppreſſion of thoſe two Acts; and notwithſtanding our Zeal for his Majeſty's Perſon and Family, muſt ſit down as eaſy as we can, with the Inclination to ſerve him, whilſt, by Law, we are denied the Opportunity and Power.

The Sentiments of his late Majeſty, of glorious Memory, with reſpect to Moderation, and the tolerating of Diſſenters, were ſo fully underſtood by the whole Nation, as kept the Clergy in tolerable good Order, and from breaking out into many Outrages againſt them. But a Controverſy that began amongſt themſelves ſoon diſcovered what Spirit many of them were of. The then Biſhop of *Bangor*, the now worthy and reverend Biſhop of *Salisbury*, happen'd, in a Sermon before his Majeſty, to aſſert the ſupreme Authority of Chriſt as King in his own Kingdom; and that he had not delegated his Power, like temporal Lawgivers, during their Abſence from their Kingdoms to any Perſons, as his Deputies and Vicegerents. *Anno* 1717. He alſo publiſhed his Preſervative, in which he advanced ſome Poſitions contrary to temporal and ſpiritual Tyranny, and in behalf of the civil and religious Liberties of Mankind. The Goodneſs of his Lordſhip's Intentions to ſerve the Family of his preſent Majeſty, the Intereſt of his Country, and

the Honour of the Church of God, might, methinks, have ſcreen'd him from all ſcurrilous Abuſes. But how numerous were his Adverſaries, and how hard the Weapons with which they attacked him! Not only the Dregs of the People and Clergy opened againſt him, but mighty Men, and Men of great Renown, from whom better Things might have been expected, enter'd the Liſts with him; and becauſe the avowed Champions for ſpiritual Power, and the Diviſion of the Kingdom between Chriſt Jeſus and themſelves. His Lorſhip of *Bangor* had this manifeſt Advantage upon the Face of the Argument. He pleaded for Chriſt's being King in his own Kingdom. His Adverſaries pleaded for the Tranſlation of his Kingdom to certain ſpiritual Viceroys. He for Liberty of private Judgment in Matters of Religion and Conſcience. They for Dominion over the Faith and Conſciences of others. He againſt all the Methods of Perſecution. They for penal Laws, for Corporation and Teſt Acts, and the powerful Motives of poſitive and negative Diſcouragements. He, with the Spirit of Meekneſs, and of a Friend to Truth. They with Bitterneſs and Rancour, and an evident Regard to Intereſt and Party. However, the lower Houſe of Convocation accuſed and proſecuted him for attempting the Subverſion of all Government and Diſcipline in the Church of Chriſt, with a View, undoubtedly, of bringing him under a ſpiritual Cenſure, and with impeaching the regal Supremacy in Cauſes Eccleſiaſtical, to ſubject him to the Weight of a Civil one. Of the Biſhop it muſt be ſaid, to his everlaſting Honour, that the Temper he diſcovered, under the Oppoſition he met with, and the Slanders that were thrown on him, was as much more amiable than that of his Adverſaries; as his Cauſe was better, his Writings and Principles more conſiſtent, and his Arguments more concluſive and convincing. But notwithſtanding theſe Advantages, his Lordſhip had great Reaſon to be thankful to God that the Civil Power ſupported and protected him, otherwiſe his Enemies would not, in all Probability, have been content with throwing Scandal upon his Character, but forced him to have parted with SOMETHING, and then delivered him unto Satan for the Puniſhment of his Fleſh, and made him have felt the Weight of that Authority, which God made him the happy and honourable Inſtrument of oppoſing; eſpecially if they were all of them of a certain good Archdeacon's Mind, who thought he deſerved to have his Tongue cut out.

The Diſſenters alſo have had their Quarrels and Controverſies amongſt themſelves, and managed them with great Warmth and Eagerneſs of Temper. During their Perſecution under King *Charles* II. and the common Danger of the Nation under his Brother *James*, they kept tolerably quiet; the Deſigns of the common Enemy to ruin them all, uniting them the more firmly amongſt themſelves. But after the Revolution, when they were ſecure from Oppreſſion by the civil Power, they ſoon fell into eager Diſputes about Juſtification and other Points of like Nature. The high flown orthodox Party would ſcarce own for their Brethren, thoſe who were for Moderation in theſe Principles, or who differed in the leaſt from their Doctrine concerning

cerning them. And when they could no longer produce Reaſon and Scripture in their Defence, they, ſome of them, made uſe of infamous Methods of Scandal, and endeavoured to blaſt the Character of a reverend and worthy Divine Dr. *Williams*, in the moſt deſperate Manner; becauſe they could no otherwiſe anſwer and refute his Arguments. But his Virtue ſtood the Shock of all their Attempts to defame it; for after, about eight Weeks ſpent in an Enquiry into his Life, by a Committee of the united Miniſters, which received all Manner of Complaints and Accuſations againſt him; it was declared at a general Meeting, as their unanimous Opinion, and repeated and agreed to in three ſeveral Meetings ſucceſſively, that he was intirely clear and innocent of all that was laid to his Charge. Thus was he vindicated in the ampleſt Form, after the ſtricteſt Examination that could be made, and his Adverſaries, who deals in Defamation and Scandal, if not brought to Repentance, were yet put to Silence. It was almoſt incredible how much he was a Sufferer for his Oppoſition to *Antinomianiſm*, by a ſtrong Party, who left nothing unattempted to cruſh him, if it had been poſſible. But as his Innocence appeared the brighter, after his Character had been thoroughly ſifted, he was, under God, greatly inſtrumental in putting a Stop to thoſe pernicious Opinions which his Oppoſers propagated; which ſtruck at the very Eſſentials of all natural and revealed Religion. His *Goſpel Truth* remains a Monument of his Honour, a Monument his Enemies were never able to deſtroy. However, nothing would ſerve but his Excluſion from the Merchant's Lecture at *Pinners-Hall*. Three other worthy Divines, who had been his Partners in that Service, bore him Company, and their Places were ſupplied with four others, of unqueſtionable Rigidneſs and Sterling Orthodoxy. Many Papers were drawn up on each Side, in order to an Accommodation; ſo that it looked, as Dr. *Calamy* tells us, as if the Creed making Age was again revived. It was inſiſted, that *Arminianiſm* ſhould be renounced on one Side, and *Antinomianiſm* on the other. But all was in vain; and the Papers that were drawn up to compoſe Matters created new Heats, inſtead of extinguiſhing the old ones. Theſe Contentions were kept up for ſeveral Years, till at laſt, the Diſputants grew weary, and the Controverſy threadbare, when it dropped of it ſelf.

Nelſon's *Life of Bp.* Bull, p. 275, 276.

The next Thing that divided them was the *Trinitarian* Controverſy, and the Affair of Subſcription to human Creeds and Articles of Faith, as a Teſt of Orthodoxy. In the Year 1695. a great Conteſt aroſe about the Trinity, amongſt the Divines of the Church of *England*, who charged each other with *Tritheiſm* and *Sabellianiſm*; and according to the eccleſiaſtical Manner of managing Diſputes, beſtowed Invectives and ſcurrilous Language very plentifully, upon each other. The Diſſenters, in the Reign of his late Majeſty, not only unfortunately fell into the ſame Debate, but carried it on, ſome of them at leaſt, with equal want of Prudence and Temper. In the Weſt of *England*, where the Fire firſt broke out, Moderation, Chriſtian Forbearance, and Charity, ſeemed to have been wholly extinguiſhed. The Reverend and Learned Mr. *James Peirce*, Miniſter in the City of *Exeter*, was diſmiſſed from

his Congregation, upon a Charge of Hereſy; and treated, by his Oppoſers, with ſhameful Rudeneſs and Inſolence. Other Congregations were alſo practiſed with, to diſcard their Paſtors, upon the ſame Suſpicion, who were accuſed of impiouſly *denying the Lord that bought them*, to render them odious to their Congregations, merely becauſe they could not come up to the unſcriptural Teſts of human Orthodoxy. And when ſeveral of the Miniſters of *London* thought proper to interpoſe, and try, if by Advices for Peace, they could not compoſe the Differences of their Brethren in the Weſt: This Chriſtian Deſign was as furiouſly oppoſed as if it had been a Combination to extirpate Chriſtianity it ſelf; and a Propoſal made in the Room of it, that the Article of the Church of *England*, and the Anſwer in the Aſſembly's Catechiſm, relating to the Trinity, ſhould be ſubſcribed by all the Miniſters, as a Declaration of their Faith, and a Teſt of their Orthodoxy. This Propoſal was conſidered by many of the Miniſters, not only as a Thing unreaſonable in it ſelf, thus to make Inquiſition into the Faith of others, but highly inconſiſtent with the Character of Proteſtants, diſſenting from the national Eſtabliſhment; and diſſenting from it for this Reaſon amongſt others, becauſe the eſtabliſhed Church expreſly claims *an Authority in Controverſies of Faith.* And therefore, after the Affair had been debated for a conſiderable while, the Queſtion was ſolemnly put, and the Propoſal rejected by a Majority of Voices. This the Zealots were highly diſpleaſed with, and accordingly publickly proclaimed their Reſentments from the Pulpits. Faſts were appointed ſolemnly to deplore, confeſs, and pray againſt the aboundings of Hereſy; and their Sermons directly levelled againſt the two great Evils of the Church, *Nonſubſcription* and *Arianiſm.* Through the Goodneſs of God they had no Power to proceed farther: And when praying and preaching, in this Manner, began to grow tedious, and were, by Experience, found to prove ineffectual, to put a Stop to the Progreſs of the Cauſe of Liberty, their Zeal immediately abated, the Cry of Hereſy was ſeldomer heard, and the Alarum of the Church's being endangered by pernicious Errors, gradually ceaſed; it being very obſervable, that though Hereſy be ever, in its Nature, the ſame Thing, yet that the Cry againſt it is either more or leſs, according as the political Managers of it can find more or fewer Paſſions to work on, or a greater or leſſer Intereſt to ſubſerve by it.

And thus have I brought the Hiſtory of Perſecution down to our own Times. If Church Hiſtory would have afforded me any Thing better, I aſſure my Reader he ſhould have had it told with Pleaſure. The Story, as it is, I have told with Grief. But 'tis Time to diſmiſs him from ſo ungrateful an Entertainment, and ſee what uſeful Reflections we can make on the Whole.

SECT.

## SECT. III.

### REMARKS *upon the* HISTORY *of* Christian Perſecution.

I. 'TIS a Truth too evident to be denied, That the Clergy in general, throughout almoſt all the ſeveral Ages of the Chriſtian Church, have been deep and warm in the Meaſures of Perſecution; as though it had been a Doctrine expreſly inculcated in the ſacred Writings, and recommended by the Practice of our Saviour and his Apoſtles. Indeed, could ſuch a Charge as this have been juſtly fixed on the great Author of our Religion, or the Meſſengers he ſent into the World to propagate it; I think it would have been ſuch an Evidence of its having been dictated by weak, or wicked, or worldly minded Men, as nothing could poſſibly have diſproved. But that Chriſtianity might be free from every Imputation of this kind, God was pleaſed to ſend his Son into the World, without any of the Advantages of worldly Riches and Grandeur, and abſolutely to diſclaim all the Prerogatives of an earthly Kingdom. His diſtinguiſhing Character was that of *meek and lowly*; and the Methods by which he conquered and triumphed over his Enemies, and drew all Men to him, was *Patience and Conſtancy, even to the Death.* And when he ſent out his own Apoſtles, he ſent them out but poorly furniſhed, to all human Appearance, for their Journey; *without Staves, or Scrip, or* Luke ix. 3. *Bread, or Money*, to let them know that he had but little of this World to give them; and that their whole Dependance was on Providence. One Thing however he aſſured them of, that they ſhould be *delivered up to the* Matt. x. *Councils, and ſcourged in the Synagogues, and be hated of all Men for his ſake.* So 17. far was he from giving them a Power to perſecute, that he foretold them they muſt ſuffer Perſecution for his Name: This the Event abundantly juſtified. And how amiable was their Behaviour under it? How greatly did they recommend the Religion they taught by the Methods they took to propagate it? *The Arms of their Warfare were not carnal, but ſpiritual.* The Argument they uſed to convince thoſe they preached to, was the *Demonſtration of the Spirit, and of Power.* They *approved themſelves as the Miniſters of God, by much Patience, by Afflictions, Neceſſities, Diſtreſſes, Stripes, Impriſonments, Tumults, Labours, Watchings, Faſtings, Pureneſs, Knowledge, Long-ſuffering, Kindneſs, by the Holy Ghoſt, by Love unfeigned, by the Word of Truth, by the Power of God, and by the Armour of Righteouſneſs on the right Hand and on the left.* Oh how unlike were their Succeſſors to them in theſe Reſpects! How different their Methods to convince Gainſayers! Excommunications, Suſpenſions, Fines, Baniſhments, Impriſonments, Bonds, Scourges, Tortures and Death, were the powerful Arguments introduced into the Church, and recommended, practiſed and ſanctified by many of the pretended Fathers of it. Even thoſe whom Superſtition hath dignified by the Name of Saints, *Athanaſius, Chryſoſtom, Gregory, Cyril*, and others, grew wanton with Power, cruelly oppreſſed thoſe who differed

differed from them, and ſtained moſt of them their Characters with the Guilt of Rapine and Murder. Their religious Quarrels were managed with ſuch an unrelenting, furious Zeal, as diſturbed the imperial Government, threw Kingdoms and Nations into Confuſion, and turned the Church it ſelf into an Aceldama, or Field of Blood. Some few there have been who were of a different Spirit, who not only abſtained from perſecuting Counſels and Meaſures themſelves, but with great Juſtice and Freedom cenſured them in others. But as to your Saints and Fathers, your Patriarchs and Biſhops, your Councils and Synods, together with the Rabble of Monks, they were moſt of them the Adviſers, Abetters and Practicers of Perſecution. They knew not how to brook Oppoſition to their own Opinions and Power, branded all Doctrines different from their own, with the odious Name of Hereſy, and uſed all their Arts and Influence to oppreſs and deſtroy thoſe who preſumed to maintain them. And this they did with ſuch Unanimity and Conſtancy, through a long Succeſſion of many Ages, as would tempt a ſtander by to think, that a Biſhop or Clergyman, and a Perſecutor, were the ſame Thing, or meant the ſelf ſame individual Character and Office in the Chriſtian Church.

I am far from writing theſe Things with any Deſign to depreciate and blacken the epiſcopal Order in general. 'Tis an Office of great Dignity and Uſe, according to the original Deſign of its Inſtitution. But when that Deſign is forgotten, or wholly perverted; when, inſtead of becoming *Overſeers* of the Flock of Chriſt, the Biſhops *tare and devour* it, and proudly uſurp Dominion over the Conſciences of Chriſtians, when they ought to be content with being Helpers of their Joy, I know no Reaſon why the Name ſhould be complimented, or the Character held ſacred, when 'tis abuſed to Inſolence, Oppreſſion and Tyranny; or why the venerable Names of Fathers and Saints, ſhould ſcreen the Vices of the Biſhops of former Ages, who, notwithſtanding their writing in behalf of Chriſtianity and Orthodoxy, brought ſome of them the greateſt Diſgrace on the Chriſtian Religion, by their wicked Practices, and expoſed it to the ſevereſt Satyrs of its profeſſed Enemies: And for the Truth of this, I appeal to the foregoing Hiſtory. If any Obſervations on their Conduct ſhould affect the Temper and Principles of any now living, they themſelves only are anſwerable for it, and welcome to make what Uſe and Application of them they pleaſe. Sure I am that the repreſenting them in their true Light, reflects an Honour upon thoſe reverend and worthy Prelates, who maintain that Moderation and Humility, which is eſſential to the true Dignity of the Epiſcopal Character, and who uſe no other Methods of Conviction and Perſuaſion, but thoſe truly Apoſtolical ones, of ſound Reaſoning and exemplary Piety. May God grant a great Increaſe, and a continual Succeſſion of them in the Chriſtian Church.

II. But as the Truth of Hiſtory is not to be concealed; and as it can do no Service to the Chriſtian Cauſe to palliate the Faults of any Set of Chriſtians whatſoever; eſpecially when all Parties have been more or leſs involved in the ſame Guilt; I muſt obſerve farther, as an Aggravation of this

this Guilt, that the Things for which Chriſtians have perſecuted each other, have been generally Matters of no Importance in Religion, and oftentimes ſuch as have been directly contrary to the Nature of it. If my Reader would know upon what Accounts the Church hath been filled with Diviſions and Schiſms; why Excommunications and Anathemas have been ſo dreadfully toſſed about; what hath given Occaſion to ſuch a Multitude of Suſpenſions, Depoſitions and Expulſions; what hath excited the Clergy to ſuch numberleſs Violences, Rapines, Cruelties and Murders, he will probably be ſurprized to be informed, that 'tis nothing of any Conſequence or real Importance, nothing relating to the Subſtance and Life of pure and undefiled Religion; little beſides hard Words, technical Terms, and inexplicable Phraſes, Points of mere Speculation, abſtruſe Queſtions, and metaphyſical Notions; Rites and Ceremonies, Forms of human Invention, and certain Inſtitutions, that have had their Riſe and Foundation only in Superſtition. Theſe have been the great Engines of Diviſion; theſe the ſad Occaſions of Perſecution. Would it not excite ſometimes Laughter, and ſometimes Indignation, to read of a proud and imperious Prelate, excommunicating the whole Chriſtian Church, and ſending, by Wholeſale, to the Devil, all who did not agree with him in the preciſe Day of obſerving *Eaſter*? Eſpecially when there is ſo far from being any Direction given by Chriſt or his Apoſtles about the Day; that there is not a ſingle Word about the Feſtival it ſelf. And is it not an amazing Inſtance of Stupidity and Superſtition, that ſuch a paltry and whimſical Controverſy ſhould actually engage, for many Years, the whole Chriſtian World, and be debated with as much Warmth and Eagerneſs, as if all the Intereſts of the preſent and future State had been at Stake; as if Chriſt himſelf had been to be crucified afreſh, and his whole Goſpel to be ſubverted and deſtroy'd.

The *Arian* Controverſy, that made ſuch Havock in the Chriſtian Church, was, if I may be allowed to ſpeak it without Offence, in the Beginning only, about Words; though probably, ſome of *Arius* his Party went farther afterwards than *Arius* himſelf did at firſt. *Arius*, as hath been ſhewn, expreſly allowed the Son to be προ χρονων και προ αιωνων, *before all Times and Ages*, πληρης θεος, *perfect God*, αναλλοιωτος, *unchangeable*, and begotten after the moſt perfect Likeneſs of the unbegotten Father. This, to me, appears to bid very fair for Orthodoxy, and was, I think, enough to have reconciled the Biſhop and his Presbyter, if there had not been ſome other Reaſons of the Animoſity between them. But when other Terms were invented, that were hard to be underſtood, and difficult to be explained; the original Controverſy ceaſed, and the Diſpute then was about the Meaning of thoſe Terms, and the Fitneſs of their Uſe in explaining the Divinity of the Son of God. *Arius* knew not how to reconcile the Biſhop's Words, αιγεννης, *ever begotten*; with the Aſſertion, that the Son, συνυπαρχει αγεννητως τω θεω, *coexiſts unbegottenly with God*; and thought it little leſs than a Contradiction to affirm, that he was αγεννητογεννης, *unbegottenly begotten*. And as to the Word ομοουσιος, *Conſubſtantial*, *Arius* ſeems to have thought that it deſtroy'd the perſonal Subſiſtence of the

Son, and brought in the Doctrine of *Sabellius*; or elſe, that it implied, that the Son was μερος του παντος, *a Part of the Father*; and for this Reaſon declined the Uſe of it. And, indeed, it doth not appear to me that the Council of *Nice* had themſelves any determinate and fixed Meaning to the Word, as, I think may be fairly inferred from the Debates of that Council, with *Euſebius*, Biſhop of *Cæſarea*, about that Term; which, though put into their Creed, in Oppoſition to the *Arians*, was yet explained by them in ſuch a Senſe as almoſt any *Arian* could have, *bona fide*, ſubſcribed. On the other hand, the Biſhop of *Alexandria* ſeems to have thought, that when *Arius* aſſerted that the Son exiſted θελημαλι και βουλη του πατρος, *by the Will and Counſel of the Father*; it implied the Mutability of his Nature; and that, when he taught concerning the Son, οτι ην οτε ουκ ην, *that there was a Time when he was not*; it inferred his being a temporary and not an eternal Being; though *Arius* expreſly denied both theſe Conſequences. In ſhort, it was a Controverſy upon this metaphyſical Queſtion, *Whether or no God could generate or produce a Being, in Strictneſs of Speech, as eternal as himſelf?* or, *Whether God's generating the Son doth not neceſſarily imply the Pre-exiſtence of the Father, either* επινοια, *in Conception, or* αλογω τινι, *ſome ſmall imaginable Point of Time*, as *Arius* imagined, and the Biſhop denied. This was, in Fact, the State of this Controverſy. And did not the Emperor *Conſtantine* give a juſt Character of this Debate, when he declared the Occaſion of the Difference to be very trifling; and that their Quarrels aroſe from an idle itch of Diſputation, ſince they did not contend about any eſſential Doctrine of the Goſpel? Could theſe hard Words and inexplicable Points juſtify the Clergy in their intemperate Zeal; and in their treating each other with the Rancour and Bitterneſs of the moſt implacable Enemies? What hath the Doctrine of real Godlineſs, what hath the Church of God to do with theſe Debates? Hath the Salvation of Mens Souls, and the Practice of Virtue any Dependance upon Mens receiving unſcriptural Words, in which they cannot believe, becauſe they cannot underſtand them, and which, thoſe who firſt introduced them were not able to explain? If I know my own Heart, I would be far from giving up any plain and important Doctrine of the Goſpel. But will any Man cooly and ſoberly affirm, that nice and intricate Queſtions, that depend upon metaphyſical Diſtinctions, and run ſo high as the moſt minute ſuppoſeable Atome, or Point of Time, can be either plain or important Doctrines of the Goſpel? Oh Jeſus! If thou be *the Son of the everlaſting God, the Brightneſs of thy Father's Glory, and the expreſs Image of his Perſon*; if thou art the moſt perfect Reſemblance of his all perfect Goodneſs, that kind Benefactor, that God-like Friend to the human Race, which the faithful Records of thy Life declare thee to be, How can I believe the eſſential Doctrines of thy Goſpel to be thus wrapped up in Darkneſs; or, that the Salvation of that Church, *which thou haſt purchaſed with thy Blood*, depends on ſuch myſterious and inexplicable Conditions? If thy Goſpel repreſents thee right, ſurely thou muſt be better pleaſed with the humble, peaceable Chriſtian, who, when honeſtly ſearching into the Glories of thy Nature, and willing to give thee all the Adoration thy great Father hath or-

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dered him to pay thee, falls into ſome Errors, as the Conſequence of human Weakneſs; than with that imperious and tyrannical Diſciple, who divides thy Members, tares the Bowels of thy Church, and ſpreads Confuſion and Strife throughout thy Followers and Friends, even for the ſake of Truths that lie remote from Mens Underſtanding, and in which thou haſt not thought proper to make the full, the plain Deciſion. If Truth is not to be given up for the ſake of Peace, I am ſure Peace is not to be ſacrificed for the ſake of ſuch Truths; and if the Goſpel is a Rule worthy our Regard, the Clergy of thoſe Times can never be excuſed for the Contentions they raiſed, and the Miſeries they occaſioned in the Chriſtian World, upon Account of them.

The third and fourth General Councils ſeem to have met upon an Occaſion of much the like Importance. The firſt Council of *Nice*, determined the Son to be a diſtinct Hypoſtaſis, or Perſon from, but of the ſame Nature with the Father. The ſecond at *Conſtantinople*, added the Holy Ghoſt to the ſame Subſtance of the Father, and made the ſame individual Nature to belong equally and wholly, to Father, Son, and Holy Ghoſt; thus making them three diſtinct Perſons in one undivided Eſſence. But as they determined the Son to be truly Man, as well as truly God, the Biſhops brought a new Controverſy into the Church, and fell into furious Debates and Quarrels about his Perſonality. *Neſtorius*, Biſhop of *Conſtantinople*, with his Followers, maintained two diſtinct Perſons in Chriſt, agreeable to his two diſtinct Natures. But Saint *Cyril*, the implacable Enemy of *Neſtorius*, got a Council to decree, that the two Natures of God and Man being united together in our Lord, made one Perſon or Chriſt, and to curſe all who ſhould affirm that there were two diſtinct Perſons or Subſiſtences in him. 'Tis evident, that either *Cyril*, and his Council, muſt have been in the wrong in this Decree, or the two former Councils of *Nice* and *Conſtantinople* wrong in theirs; becauſe 'tis certain, that they decreed the Word PERSON to be uſed in two infinitely different Senſes. According to thoſe of *Nice* and *Conſtantinople*, one individual Nature or Eſſence contain'd three diſtinct Perſons. According to *Cyril*'s Council, two Natures or Eſſences infinitely different, and as diſtinct as thoſe of God and Man, conſtituted but one Perſon. Now how *one Nature ſhould be three Perſons, and yet two Natures one Perſon*, will require the Skill even of Infallibility it ſelf to explain; and as theſe Decrees are evidently contradictory to one another, I am afraid we muſt allow, that the Holy Ghoſt had no Hand in one or other of them. This ſome of the Clergy very eaſily obſerved; and therefore, to maintain the Unity of the Perſon of Chriſt, *Eutyches* and *Dioſcorus* maintained, that though Chriſt conſiſted of two Natures before his Incarnation, yet after that, he had but one Nature only. But this was condemned by the Council of *Chalcedon*, and the Contradictions of the former Councils declared all to be true, and render'd ſacred with the Stamp of Orthodoxy. This was alſo ratified by the fifth Council under *Juſtinian*, who alſo piouſly and charitably raked into the Duſt of poor *Origen*, and damned him for an Heretick. But ſtill there was a Difficulty yet remaining, about the Perſon of Chriſt: For as Chriſt's being one Perſon did not deſtroy

the Diſtinction of his two Natures, it became a very important and warm Controverſy, Whether Chriſt had any more than one Will, as he was but one Perſon in two Natures? or, Whether he had not two Wills, agreeable to his two diſtinct Natures, united in one Perſon? This occaſioned the calling the ſixth General Council, who determined it for the two Wills; in which, according to my poor Judgment, they were very wrong. And had I had the Honour to have been of this venerable Aſſembly, I would have compleated the Myſtery, by decreeing, that as Chriſt had but one Perſon, he could have but one perſonal Will; but however, that as he had two Natures, he muſt alſo have two natural Wills. I beg my Reader's Pardon for thus preſuming to offer my own Judgment, in Oppoſition to the Decree of the holy Fathers; but at the ſame Time, I cannot help ſmiling at the Thought, of two or three hundred venerable Biſhops and Fathers thus trifling in Council, and ſolemnly playing at Queſtions and Commands, to puzzle others, and divert themſelves. Were it not for the fatal Conſequences that attended their Deciſions, I ſhould look on them as *Biſhops in Maſquerade*, met together only to ridicule the Order, or to ſet the People a laughing at ſo awkward a Mixture of Gravity and Folly. Surely the Reverend Clergy of thoſe Days had but little to do amongſt their Flocks, or but little Regard to the Nature and End of their Office. Had they been faithful to their Character, inſtead of *doting about Queſtions and Striſes of Words, whereof came Envy, Striſe, Railings, evil Surmiſings, perverſe Diſputings of Men of corrupt Minds, and deſtitute of the Truth, ſuppoſing that Gain is Godlineſs*, they would have *conſented to, and taught wholſome Words, even the Words of our Lord Jeſus Chriſt, and the Doctrine which is according to Godlineſs.*

But this was not the Temper of the Times. It would have been indeed more tolerable, had the Clergy confined their Quarrels to themſelves, and quarrelled only about ſpeculative Doctrines and harmleſs Contradictions. But to intereſt the whole Chriſtian World in theſe Contentions, and to excite furious Perſecutions for the Support of Doctrines and Practices, even oppoſite to the Nature, and deſtructive of the very End of Chriſtianity, is equally monſtrous and aſtoniſhing. And yet this is the Caſe of the ſeventh General Council, who decreed the Adoration of the Virgin *Mary*, of Angels, and of Saints, of Relicts, of Images and Pictures, and who thereby obſcured the Dignity, and corrupted the Simplicity of the Chriſtian Worſhip and Doctrine. This the venerable Fathers of that Council did, and pronounced Anathemas againſt all who would not come into their idolatrous Practices, and excited the Civil Power to oppreſs and deſtroy them.

III. Surely it could not be a Zeal for God and Chriſt, and the Truth and Honour of Chriſtianity, no real Love to Piety and Vertue, that prompted and lead them on to theſe Acts of Injuſtice and Cruelty. Without any Breach of Charity, it may be aſſerted of moſt, if not all of them, that 'twas their Pride, and their immoderate Love of Dominion, Grandeur and Riches, that influenced them to theſe unworthy and wicked Meaſures. The Intereſt of Religion and Truth, the Honour of God and the Church, is, I know, the ſtale Pretence; but a Pretence, I

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am afraid, that hath but little Probability or Truth to ſupport it. For what hath Religion to do with the Obſervation of Days? or, What could excite *Victor* to excommunicate ſo many Churches about *Eaſter*, but the Pride of his Heart, and to let the World ſee, how large a Power he had to ſend Souls to the Devil? How is the Honour of God promoted, by Speculations that have no Tendency to Godlineſs? Will any Man ſeriouſly affirm, that the ancient Diſputes about υποστασις, προσωπον, ιδιοτητες, φυσις, ομοουσιος, ομοιουσιος, and the reſt of the hard Words that were invented, did any Honour to the Name of Chriſt, or were of any Advantage to the Religion of his Goſpel? Or, can he believe that *Alexander*, *Arius*, *Athanaſius*, *Macedonius*, and others, were influenced in all their Contentions and Quarrels, in all the Confuſions they were the Authors of, and the Murders they occaſioned, purely by religious Motives? Surely the Honour of Religion muſt be promoted by other Means; and genuine Chriſtianity may flouriſh, and, indeed, would have flouriſh'd much better, had theſe Diſputes never been introduced into the Church; or, had they been managed with Moderation and Forbearance. But ſuch was the Haughtineſs of the Clergy, ſuch their Thirſt of Dominion over the Conſciences of others, ſuch their Impatience of Contradiction, that nothing would content them but implicit Faith to their Creeds, abſolute Subjection to their Decrees, and Subſcription to their Articles without Examination or Conviction of their Truth; or for want of theſe, Anathemas, Depoſitions, Baniſhments and Death.

The Hiſtory of all the Councils, and of almoſt all the Biſhops that is left us, is a Demonſtration of this ſad Truth. What Council can be named, that did not aſſume a Power to explain, amend, ſettle, and determine the Faith? That did not anathematiſe and depoſe thoſe who could not agree to their Deciſions, and that did not excite the Emperors to oppreſs and deſtroy them? Was this the Humility and Condeſcention of Servants and Miniſters? Was not this lording it over the Heritage of God, ſeating themſelves in the Throne of the Son of God, and making themſelves owned as *Fathers and Maſters*, in Oppoſition to the expreſs Command of Chriſt to the contrary?

*Clemens Romanus*, in his firſt Epiſtle to the *Corinthians*, Cap. 44. tells us, That * *the Apoſtles knew, by the Lord Jeſus Chriſt, that the Epiſcopal Name and Office would be the Occaſion of Contention in the Chriſtian Church; a* † *noble Inſtance*, ſays the learned *Fell*, in his Remarks on the Place, *of the prophetick Spirit of the Apoſtolick Age. Formerly*, he adds, that *Mens Ambition and evil Practices to obtain this Dignity, produced Schiſms and Hereſies.* And 'twas indeed no Wonder that ſuch Diſorders and Confuſions ſhould be occaſioned, when the Biſhopricks were certain Steps, not only to Power and Dominion, but to the Emoluments and Advantages of Riches and Honours. Even long before the Time of *Conſtantine*, the Clergy had got a very great Aſcendant over the

Apud Cotel. p. 173. Edit. Amſtel.

* Και οι αποστολοι ημων εγνωσαν δια του κυριου ημων Ιησου χριστου, οτι ερις εσται επι του ονοματος της επισκοπης.

† Luculenta praeſenſio rerum —— quaeq; propheticum Apoſtolici ævi —— Spiritum profitetur. Olim ſchiſmata & hæreſes ſubinde ortæ, præ faſtigii iſtius deſiderio & ambitu.

Laity, and grew, many of them, rich, by the voluntary Oblations of the People: But the Grants of that Emperor confirm'd them in a worldly Spirit, and the Dignities and vaſt Revenues that were annexed to many of the Sees, gave Riſe to infinite Evils and Diſturbances. So they could but get Poſſeſſion of them, they cared not by what Means, whether by clandeſtine Ordinations, ſcandalous Symony, the Expulſion of the Poſſeſſors, or through the Blood of their Enemies. How many Lives were loſt at *Rome*, *Conſtantinople*, *Alexandria* and *Antioch*, by the furious Contentions of the Biſhops of thoſe Sees; depoſing one another, and forcibly entring upon Poſſeſſion? Would *Athanaſius*, and *Macedonius*, *Damaſus*, and others, have given Occaſion to ſuch Tumults, and Murders, merely for Words and Creeds, had there not been ſomewhat more ſubſtantial to have been got by their Biſhopricks? Would *Cyril* have perſecuted the *Novatians*, had it not been for the ſake of their Riches, of which he plunder'd them, ſoon after his Advancement to the See of *Alexandria?* No. The Character given by the Hiſtorian of *Theodoſius*, Biſhop of *Synada*, may be too truly applied to almoſt all the reſt of them; who perſecuted the Followers of *Macedonius*, not from a Principle of Zeal for the Faith, but through a covetous Temper, and the Love of Money. This St. *Jerome* obſerved with Grief, in the Paſſage cited *p.* 31. of this Introduction; and *Ammianus Marcellinus*, an Heathen Writer, reproach'd them with, in the Paſſage cited *p.* 39.

IV. I think it will evidently follow, from this Account, that the Determinations of Councils, and the Decrees of Synods, as to Matters of Faith, are of no manner of Authority, and can carry no Obligation upon any Chriſtian whatſoever. I will not mention here one Reaſon, which would be it ſelf ſufficient, if all others were wanting, *viz.* That they have no Power given them in any Part of the Goſpel Revelation, to make theſe Deciſions in controverted Points, and to oblige others to ſubſcribe them; and that therefore the Pretence to it is an Uſurpation of what belongs to the great God, who only hath, and can have a Right to preſcribe to the Conſciences of Men. But to let this paſs, what one Council can be fixed upon, that will appear to be compoſed of ſuch Perſons, as, upon an impartial Examination, can be allowed to be fit for the Work of ſettling the Faith, and determining all Controverſies relating to it? I mean in which the Majority of the Members may, in Charity, be ſuppoſed to be diſintereſted, wiſe, learned, peaceable and pious Men? Will any Man undertake to affirm this of the Council of *Nice?* Can any Thing be more evident than that the Members of that venerable Aſſembly, came, many of them, full of Paſſion and Reſentment; that others of them were crafty and wicked, and others ignorant and weak? Did their Meeting together in a Synod immediately cure them of their Deſire of Revenge, make the Wicked virtuous, or the Ignorant wiſe? If not, their joint Decree, as a Synod, could really be of no more Weight than their private Opinions; nor, perhaps, of ſo much; becauſe, 'tis well known, that the great Tranſactions of ſuch Aſſemblies, are generally managed and conducted by a few; and that Authority, Perſuaſion,

ſuaſion, Proſpect of Intereſt, and other temporal Motives, are commonly made Uſe of to ſecure a Majority. The Orthodox have taken Care to deſtroy all the Accounts given of this Council, by thoſe of the oppoſite Party; and *Euſebius*, Biſhop of *Cæſarea*, hath paſſed it over in Silence; and only dropped two or three Hints, that are very far from being favourable to thoſe reverend Fathers. In a Word, nothing can be collected from Friends or Enemies, to induce one to believe, that they had any of thoſe Qualifications which were neceſſary to fit them for the Province they had undertaken, of ſettling the Peace of the Church by a fair, candid and impartial Determination of the Controverſy that divided it: So that the Emperor *Conſtantine*, and *Socrates* the Hiſtorian, took the moſt effectual Method to vindicate their Honour, by pronouncing them inſpired by the Holy Ghoſt, which they had great need of, to make up the want of all other Qualifications.

The ſecond General Council were plainly the Creatures of the Emperor *Theodoſius*, all of his own Party, and convened to do as he bid them; which they did, by confirming the *Nicene* Faith, and condemning all Hereſies. The third General Council were the Creatures of *Cyril*, who was their Preſident, and the inveterate Enemy of *Neſtorius*, whom he condemned for Hereſy, and was himſelf condemned for his Raſhneſs in this Affair, and excommunicated by the Biſhop of *Antioch*. The fourth met under the Awes of the Emperor *Marcian*, managed their Debates with Noiſe and Tumult, were formed into a Majority by the Intrigues of the Legates of *Rome*; and ſettled the Faith by the Opinions of *Athanaſius*, *Cyril*, and others. I need not mention more; the farther we go the worſe they will appear. Now may it not be asked, How came the few Biſhops, who met by Command of *Theodoſius*, to be ſtiled an Oecumenical or General Council? As they came to decree, as he decreed they ſhould, what Authority, with any wiſe Man, can their Deciſions have? As they were all of one Side, except thirty ſix of the *Macedonian* Party, who were afterwards added; what leſs could be expected, but that they would decree themſelves Orthodox, eſtabliſh their own Creed, and anathematize all others for Hereticks? And as to the next Council, I confeſs I can pay no Reſpect or Reverence to a Set of Clergy, met under the Direction and Influence of a Man of *Cyril*'s Principles and Morals; eſpecially as the main Tranſaction of that Council was hurried on by a Deſire of Revenge, and done before the Arrival of the Biſhop of *Antioch*, with his ſuffragan Brethren, and condemned by him as ſoon as he was informed of it; till at length the Power and Influence of the Emperor reconciled the two haughty Prelates; made them reverſe their mutual Excommunications, decree the ſame Doctrine, and join in pronouncing the ſame Anathemas. Cannot any one diſcern more of Reſentment and Pride in their firſt Quarrel, than of a Regard to Truth and Peace; and more of Complaiſance to the Emperor than of Concern for the Honour of Chriſt in their after Reconciliation? And as to the next Council, let any one but read over the Account given of it by *Evagrius*; what horrible Confuſions there were amongſt them; how they threw about Anathemas and Curſes; how they father'd their Violences

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on Chriſt; how they ſettled the Faith by the Doctrines of *Athanaſius*, *Cyril*, and other Fathers; and if he can bring himſelf to pay any Reverence to their Decrees, I envy him not the Submiſſion he pays them, nor the Rule by which he guides and determines his Belief.

I confeſs I cannot read the Account of theſe Tranſactions, their aſcribing their Anathemas and Curſes to Chriſt and the Holy Trinity, and their Deciſions as to the Faith, to the Holy Ghoſt, without Indignation at the horrid Abuſe of thoſe ſacred Names. Their very Meeting to pronounce Damnation on their Adverſaries, and to form Creeds for the Conſciences of others, is no leſs than a Demonſtration that they had no Concurrence of the Son of God, no Influence of the Holy Spirit of God. The Faith was already ſettled for them, and for all other Chriſtians in the ſacred Writings, and needed no Deciſion of Councils to explain and amend it. The very Attempt was Inſolence and Uſurpation. Infallibility is a neceſſary Qualification for an Office of ſuch Importance. But what Promiſe is there made to Councils of this divine Gift? or, if there ſhould be any ſuch Promiſe made to them; yet the Method of their Debates, their ſcandalous Arts to defame their Adverſaries, and the Contradictions they decreed for Truth and Goſpel, proves, to the fulleſt Conviction, that they forfeited the Grace of it. And indeed, if *the Fruits of the Spirit are Love, Peace, Long-ſuffering, Gentleneſs, Goodneſs, and Meekneſs*, there appeared few or no Signs of them in any of the Councils. The Soil was too rank and hot to produce them.

I wiſh, for the Honour of the former Times, I could give a better Account of theſe Aſſemblies of the Clergy, and ſee Reaſon to believe my ſelf that they were, generally ſpeaking, Men of Integrity, Wiſdom, Candour, Moderation and Virtue. The Debates of ſuch Men would have deſerved Regard, and their Opinions would have challenged a proper Reverence. But even had this been the Caſe, their Opinions could have been no Rule to others, and how great a Veneration ſoever we might have had for their Characters, we ought, as Men and Chriſtians, to have examined their Principles. There is one Rule ſuperior to them and us, by which Chriſtians are to try all Doctrines and Spirits; the Deciſion of which, is more ſacred than that of all human Wiſdom and Authority, and every where, and in all Ages obligatory. But as the ancient Councils conſiſted of Men of quite other Diſpoſitions; and as their Deciſions in Matters of Faith were arbitrary and unwarranted; and as thoſe Deciſions themſelves were generally owing to Court Practices, intriguing Stateſmen, the Thirſt of Revenge, the Management of a few crafty intereſted Biſhops, to Noiſe and Tumult, the Proſpects and Hopes of Promotions and Tranſlations, and other the like Cauſes; the Reverence paid them by many Chriſtians is truly ſurprizing; and I cannot account for it any way but one, *viz.* that thoſe who thus cry up their Authority, are in hopes of ſucceeding them in their Power; and therefore would feign perſuade others that their Decrees are ſacred and binding, to make way for the impoſing of their own.

It would be well worth the while of ſome of theſe Council-mongers to lay down ſome proper Rules and Diſtinctions, by which we may judge what Councils are to be received, and which to be rejected; and particularly why the four firſt General Councils ſhould be ſubmitted to in Preference to all others. Councils have often decreed contrary to Councils, and the ſame Biſhops have decreed different Things in different Councils; and even the third and fourth General Councils determined the Uſe of the Word PERSON, in an infinitely different Senſe from what the two firſt did. Heretical Councils, as they are called, have been more in Number than ſome Orthodox general ones, called by the ſame imperial Authority, have claimed the ſame Powers, pretended to the ſame Influence of the Holy Ghoſt, and pronounced the ſame Anathemas againſt Principles and Perſons. By what *Criteria* or certain Marks then muſt we judge, which of theſe Councils are thieving, general, particular, orthodox, heretical, and which not? The Councils themſelves muſt not be Judges in their own Cauſe; for then we muſt receive, or reject them all. The Characters of the Biſhops that compoſed them will not do, for their Characters ſeem equally amiable and Chriſtian on each ſide. The Nature of the Doctrine, *as decreed by them*, is far from being a ſafe Rule; becauſe, if human Authority, or Church Power makes Truth in any Caſe, it makes it in every Caſe; and therefore, upon this Foot the Decrees at *Tyre* and *Epheſus*, are as truly binding as thoſe at *Nice* and *Chalcedon*. Or, if we muſt judge of the Councils by the Nature of the Doctrine, abſtracted from all human Authority, thoſe Councils can have no Authority at all. Every Man muſt ſit in Judgment over them, and try them by Reaſon and Scripture, and reject and receive them, juſt as he would do the Opinions of any other Perſons whatſoever. And, I humbly conceive, they ſhould have no better Treatment, becauſe they deſerve none.

V. If then the Decrees of Fathers and Councils, if the Deciſions of human Authority in Matters of Religion, are of no avail, and carry with them no Obligation, it follows, that the impoſing Subſcriptions to Creeds and Articles of Faith, as Teſts of Orthodoxy, is a Thing unreaſonable in it ſelf, as it hath proved of infinite ill Conſequence in the Church of God.

I call it an *unreaſonable Cuſtom*, not only becauſe where there is no Power to make Creeds for others, there can be no Right to impoſe them; but becauſe no one good Reaſon can be aſſigned for the Uſe and Continuance of this Practice. For, as my Lord Biſhop of *London* admirably well explains this Matter, *As long as Men are Men, and have different Degrees of Underſtanding, and every one a Partiality to his own Conceptions, it is not to be expected that they ſhould agree in any one entire Scheme, and every Part of it, in the Circumſtances as well as the Subſtance, in the Manner of Things, as well as in the Things themſelves. The Queſtion therefore is not in general about a Difference in Opinion, which, in our preſent State, is unavoidable; but about the Weight and Importance of the Things wherein Chriſtians differ, and the Things wherein they agree. And it will appear, that the ſeveral Denominations of Chriſtians agree both in the Subſtance of Religion, and* Biſhop of London, 2d Paſt. Let. p. 24, 25.

*in the neceſſary Inforcements of the Practice of it. That the World, and all Things in it, were created by God, and are under the Direction and Government of his all powerful Hand, and all ſeeing Eye; that there is an eſſential Difference between Good and Evil, Virtue and Vice; that there will be a State of future Rewards and Puniſhments according to our Behaviour in this Life; that Chriſt was a Teacher ſent from God, and that his Apoſtles were divinely inſpired; that all Chriſtians are bound to declare and profeſs themſelves to be his Diſciples; that not only the Exerciſe of the ſeveral Virtues, but alſo a Belief in Chriſt is neceſſary in order to their obtaining the Pardon of Sin, the Favour of God, and eternal Life; that the Worſhip of God is to be performed chiefly by the Heart, in Prayers, Praiſes, and Thankſgivings; and, as to all other Points, that they are bound to live by the Rules which Chriſt and his Apoſtles have left them in the Holy Scriptures. Here then,* adds the learned Biſhop, *is a fixed, certain, and uniform Rule of Faith and Practice, containing all the moſt neceſſary Points of Religion, eſtabliſhed by a divine Sanction, embraced as ſuch, by all Denominations of Chriſtians, and in it ſelf abundantly ſufficient to preſerve the Knowledge and Practice of Religion in the World. As to Points of greater Intricacy, and which require uncommon Degrees of Penetration and Knowledge; ſuch indeed, have been Subjects of Diſpute amongſt Perſons of Study and Learning in the ſeveral Ages of the Chriſtian Church; but the People are not obliged to enter into them, ſo long as they do not touch the Foundations of Chriſtianity, nor have an Influence upon Practice. In other Points it is ſufficient that they believe the Doctrines, ſo far as they find, upon due Enquiry and Examination, according to their ſeveral Abilities and Opportunities, that God hath revealed them.* This incomparable Paſſage of this Reverend and truly Charitable Prelate, I have tranſcribed intire; becauſe it will undoubtedly give a Sanction to my own Principles of univerſal Benevolence and Charity. His Lordſhip affirms, that *all Denominations of Chriſtians* (he will allow me to mention a few of them; Socinians, Arians, Athanaſians, Sabellians, Pelagians, Arminians, Calviniſts, Epiſcopalians, Presbyterians, Independants, Anabaptiſts, *&c.*) *agree in the Subſtance of Religion, and in the neceſſary Enforcements of the Practice of it*; inaſmuch as they do all believe firmly and ſincerely, thoſe Principles which his Lordſhip calls, with great Reaſon and Truth, *a fixed, certain, and uniform Rule of Faith and Practice, as containing all the moſt neceſſary Points of Religion, and in it ſelf abundantly ſufficient to preſerve the Knowledge and Practice of Religion in the World.* My Inference from this noble Conceſſion, for which all the Friends to Liberty, in Church and State, throughout *Great Britain*, will thank his Lordſhip, is this; that ſince all Denominations of Chriſtians do, in his Lordſhip's Judgment, receive his fixed, certain, and uniform Rule of Faith, and embrace all the moſt neceſſary Points of Religion; to impoſe Subſcriptions to Articles of Faith and human Creeds, muſt be a very unreaſonable and needleſs Thing: For either ſuch Articles and Creeds contain nothing more than this ſame Rule of Faith and Practice; and then all Subſcriptions to them is Impertinent; becauſe this is already received by all Denominations of Chriſtians, and is abundantly ſufficient, by the Biſhop's own Allowance, to preſerve the Knowledge and Practice of Religion in the World: Or ſuch Articles and Creeds contain ſomething more

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than his Lordſhip's fixed Rule of Faith and Practice, ſomething more than all the moſt neceſſary Points of Religion, ſomething more than is ſufficient to preſerve the Knowledge and Practice of Religion in the World, *i. e.* ſome very unneceſſary Points of Religion; ſomething on which the Preſervation of Religion doth not depend; and of Conſequence, Subſcriptions to unneceſſary Articles of Faith, on which Religion doth not depend, can never be neceſſary to qualify any Perſon for a Miniſter of the Church of Chriſt, and therefore not for the Church of *England*, if that be Part of the Church of Chriſt. And this is the more unneceſſary, becauſe, as his Lordſhip farther well obſerves, *the People are not obliged to enter into them, ſo long as they do not touch the Foundations of Chriſtianity*, i. e. ſo far as his Lordſhip's certain, fix'd and uniform Rule, which contains all neceſſary Points of Religion, is not affected by them. And if the People are not obliged to enter into Points of great Intricacy and Diſpute, I humbly conceive, the Clergy cannot be obliged to preach them; and that of Conſequence 'tis as abſurd to impoſe upon them Subſcriptions to ſuch Things, as to oblige them to ſubſcribe what they need not preach, nor any of their People believe.

Upon his Lordſhip's Principles, the impoſing Subſcriptions to the hard unſcriptural Expreſſions of the *Athanaſians* and *Arians*, by each Party in their Turns, and to the thirty nine Articles of the Church of *England*, muſt be a very unreaſonable and unchriſtian Thing; becauſe, the Peculiarities to be ſubſcribed, do not one of them, enter into his ſpecified Points of Religion, and are not neceſſary to preſerve Religion in the World; and after ſo publick a Declaration of Charity towards all Denominations of Chriſtians, and the Safety of Religion and the Church, upon the general Principles he hath laid down, there is no Reaſon to doubt but his Lordſhip will uſe that Power and Influence which God hath entruſted him with, to remove the Wall of Separation in the eſtabliſhed Church, in order to the uniting all differing Sects, all Denominations of Chriſtians, in one viſible Communion; and that he will join in that moſt Chriſtian and Catholick Prayer of one of his own Brethren, though diſapproved of by another of narrower Principles, *Bleſſed be they who have contributed to ſo good a Work.* Subſcriptions have ever been a Grievance in the Church of God, and the firſt Introduction of them was owing to Pride, and the Claim of an unrighteous and ungodly Power. Neither the Warrant of Scripture, nor the Intereſt of Truth made them neceſſary. 'Tis, I think, but by few, if any, pretended that the ſacred Writings countenance this Practice. They do indeed abound with Directions and Exhortations to *adhere ſtedfaſtly to the Faith, not to be moved from the Faith*, nor *toſſed about with every Wind of Doctrine.* But what is the Faith which we are to adhere to? What the Faith eſtabliſhed and ſtamped for Orthodox by the Biſhops and Councils? Ridiculous! If this was the Caſe, our Faith muſt be as various as their Creeds, and as abſurd and contradictory as their Deciſions. No, The Faith we are to be grounded and ſettled in, is that *which was at once delivered to the Saints*, that which was preached by the Apoſtles to *Gentiles*, as well as *Jews*; *the wholeſome Words we are to conſent to are the Words*

*Biſhop of* Bangor's *Anſwer to the Dean of* Worceſter. *Poſtſcript*, p. 207.

*of our Lord Jesus Christ, and the Doctrine which is according to Godliness.* This all genuine Christians receive, out of regard to a much higher Authority than belongs to any Set of Men in the World; and therefore the Sanction of Fathers and Councils in this Case, is as impertinent as a Man's pretending to give a Sanction to the Constitutions of the Great God. And as to all other Articles of Faith, neither they, nor any others, have any Commission to impose them on the Consciences of Men, and the Moment they attempt to do it, they cease to be Servants in the House of God, and act as the true and proper Lords of the Heritage.

But it may be said, That *the Church hath Power to determine in Controversies of Faith; so as not to decree any thing against Scripture, nor to enforce any thing to be believed as necessary to Salvation besides it*; i. e. I suppose the Church hath Power to guard the Truths of Scripture; and in any Controversies about Doctrines, to determine what is or is not agreeable to Scripture, and to enforce the Reception of what they thus decree, by obliging others to subscribe to their Decisions. If this be the Case, then it necessarily follows, that their Determinations must be ever right, and constantly agreeable to the Doctrine of holy Writ; and that they ought never to determine, but when they are in the Right, and are sure they are in the Right; because, if the Matter be difficult in its Nature, or the Clergy have any Doubts and Scruples concerning it, or are liable to make false Decisions, they cannot, with any Reason, make a final Decision; because 'tis possible they may decide on the wrong side of the Question; and thus decree Falshood instead of Truth. And I presume there are but few who will claim, in Words, so extraordinary a Power as that of establishing Falshood in the room of Truth and Scripture. And even supposing their Decisions to be right, how will it follow that they have a Power to oblige others to submit to and subscribe them? If by sound Reason and Argument they can convince the Consciences of others, they are sure of the Agreement of all such with them in Principle; and upon this Foot Subscriptions are wholly useless; and if they cannot convince them, 'tis a very unrighteous Thing to impose Subscriptions on them; and a shameful Prevarication with God and Man for any to submit to them without it. Decisions made in Controversies of Faith, by the Clergy, carry in them no Force nor Evidence of Truth. Let their Office be ever so sacred, it doth not exempt them from human Frailties and Imperfections. They are as liable to Error and Mistake, to Prejudice and Passion, as any of the Laity whatsoever can be. How then can the Clergy have any Authority in Controversies of Faith, which the Laity have not? That they have erred in their Decisions, and decreed Light to be Darkness, and Darkness Light; that they have perplexed the Consciences of Men, and corrupted the Simplicity of the Faith in Christ, all their Councils and Synods are a notorious Proof. With what Justice or Modesty then can they pretend to a Power of obliging others to believe their Articles, or subscribe them? If I was to speak the real Truth, it will be found, that those numerous Opinions which have been anathematised as Heretical, and which

have broken the Chriſtian World into Parties, have been generally invented, and broached, and propagated by the Clergy; witneſs *Arius*, *Macedonius*, *Neſtorius*, *Eutyches*, *Dioſcorus*, and others; and therefore if we may judge by any Obſervations made on the Riſe of Hereſy, what is a proper Method to put a Stop to the Progreſs of it, it cannot be the Clergy's forming Articles of Faith, and forcing others to ſubſcribe them; becauſe this is the very Method by which they have eſtabliſhed and propagated it.

The Truth is, this Method of preventing Error will ſuit all Religions, and all Sorts of Principles whatſoever, and is that by which Error maintains its Ground, and is indeed render'd impregnable. All the different Sorts of *Chriſtians*, *Papiſts* and *Proteſtants*, *Greeks*, *Lutherans*, *Calviniſts* and *Arminians*, cannot certainly be right in their diſcriminating Principles. And yet where ſhall we find any Clergy that don't pretend a Right to impoſe Subſcriptions, and who do not maintain the Truth of the Articles to which they make ſuch Subſcription neceſſary? Upon this Foot the Doctrines of the Council of *Trent*, the thirty nine Articles of the Church of *England*, and the Aſſemblies Confeſſion of Faith, are all of them equally true, Chriſtian and Sacred; for they are in different Places embraced as Standards of Orthodoxy, and their Sacredneſs and Authority ſecur'd and maintain'd by the Subſcriptions of the Clergy to them: And therefore, I think it as little agreeable to Prudence as it is to Juſtice for Chriſtians to keep up a Practice that may be ſo eaſily, and hath been ſo often turned into a Security for Hereſy, Superſtition and Idolatry; and eſpecially for Proteſtants to ware any longer theſe Marks of Slavery, which their Enemies, whenever they have Power, will not fail to make Uſe of, either to fetter their Conſciences, or diſtinguiſh them for the Burning.

But it may be ſaid that the Abuſe of Subſcriptions is no Argument againſt the Uſe of them; and that, as they are proper to diſcover what Mens Sentiments are, they may be ſo far ſometimes a Guard and Security to the Truth. But as all Parties, who uſe them, will urge this Reaſon for them, that they are in Poſſeſſion of the Truth, and therefore willing to do all they can to ſecure and promote it; of Conſequence Subſcriptions to Articles of Faith can never be looked on properly as Guards to real Truth, but as Guards to certain prevailing Principles, whether true or falſe. And even in this Caſe they are wholly Ineffectual. The Clergy of the Church of *England* are bound to ſubſcribe the thirty nine Articles, *i. e.* to the Truth of *Athanaſian* and *Calviniſtick* Principles. But hath this Subſcription anſwer'd its End? Do not the Clergy, who are all Subſcribers, and who often repeat their Subſcriptions, differ about theſe Heads as much as if they had never ſubſcribed at all? Men that have no Principles of Religion and Virtue, but enter the Church only with a View to the Benefices and Preferments of it, will ſubſcribe ten thouſand Times over, and to any Articles that can be given them, whether true or falſe. Thus the *Aſiatick* Biſhops ſubſcribed to the Condemnation of the Decrees of the Council of *Chalcedon*, and inform *Baſiliſcus* the Emperor that their Subſcriptions were voluntary. And yet when *Baſiliſcus* was depoſed, they immediately ſubſcribed to the Truth of thoſe Decrees, and ſwore their

firſt Subſcription was involuntary. So that Subſcriptions cannot keep out any Atheiſts, Infidels, or profligate Perſons. And as to others, daily Experience teaches us, that they either disbelieve the Articles they ſubſcribe, ſubſcribing them only as Articles of Peace; or elſe, that after they have ſubſcribed them, they ſee Reaſon, upon a more mature Deliberation, to alter their Minds, and change their original Opinions. So that till Men can be brought always to act upon Conſcience, never to ſubſcribe what they do not believe, nor ever to alter their Judgment, as to the Articles they have ſubſcribed; Subſcriptions are as impertinent and uſeleſs as they are unreaſonable, and can never anſwer the Purpoſes of thoſe who impoſe them.

But I apprehend farther, that this impoſing of Subſcriptions is *not only an unreaſonable Cuſtom*, but attended with many very pernicious Conſequences. It is a great Hindrance to that Freedom and Impartiality of Inquiry which is the unalterable Duty of every Man, and neceſſary to render his Religion reaſonable and acceptable. For why ſhould any Perſon make any Inquiries for his own Information, when his Betters have drawn up a Religion for him, and thus kindly ſaved him the Labour and Pains? And as his worldly Intereſt may greatly depend on his doing as he is bid, and ſubſcribing as he is ordered; is it not reaſonable to think that the generality will contentedly take every thing upon Truſt, and prudently refrain from creating to themſelves Scruples and Doubts, by nicely examining what they are to ſet their Hands to, leaſt they ſhould miſs of Promotion for not being able to comply with the Condition of it, or enjoy their Promotions with a diſſatisfied and uneaſy Conſcience?

Subſcriptions will, I own, ſometimes prove Marks of Diſtinction, and as Walls of Separation: For though Men of Integrity and Conſcience may, and oftentimes undoubtedly do ſubmit to them; yet Men of no Principles, or very looſe ones, worldly and ambitious Men, the Thoughtleſs and Ignorant, will moſt certainly do it, when they find it for their Intereſt. The Church that encloſes her ſelf with theſe Fences, leaves abundant Room for the Entrance of Perſons of ſuch Characters. To whom then doth ſhe refuſe Admittance? Why, if to any, it muſt be to Men who cannot bend their Conſciences to their Intereſt; who cannot believe, without Examination, nor ſubſcribe any Articles of Faith as true, without underſtanding and believing them. 'Tis in the very Nature of Subſcriptions to exclude none but theſe, and to diſtinguiſh ſuch only for Shame and Puniſhment. Now how is this conſiſtent with any Thing that is called Reaſon or Religion? If there could be found out any wiſe and reaſonable Methods to throw out of the Chriſtian Church and Miniſtry, Men who are in their Hearts Unbelievers, who abide in the Church only for the Revenues ſhe yields to them, who ſhift their religious and political Principles, according to their Intereſt, who propagate Doctrines inconſiſtent with the Liberties of Mankind, and are ſcandalous and immoral in their Lives; if Subſcriptions could be made to anſwer theſe Ends, and theſe only, and to throw Infamy upon ſuch Men, and upon ſuch Men only; no one would have any Thing to alledge againſt the Uſe of them.

Whereas,

Whereas, in Truth, Subſcriptions are the great Securities of ſuch profligate Wretches, who, by complying with them, enter into the Church, and thereby ſhare in all the temporal Advantages of it; whilſt the ſcrupulous, conſcientious Chriſtian is the only one ſhe excludes, who thinks the Word of God a more ſure Rule of Faith than the Dictates of Men; and that Subſcriptions are Things much too ſacred to be trifled with, or lightly ſubmitted to.

They are indeed very great Snares to many Perſons, and Temptations to them too often to treſpaſs upon the Rules of ſtrict Honeſty and Virtue. For when Mens Subſiſtence and Advantages in the World depend on their ſubſcribing to certain Articles of Faith, 'tis one of the moſt powerful Arguments that can be, to engage them to comply with it. 'Tis poſſible indeed they may have their Objections againſt the Reaſonableneſs and Truth of what they are to ſubſcribe. But will not Intereſt often lead them to overlook their Difficulties, to explain away the natural Meaning of Words, to put a different Senſe upon the Articles than what they will fairly bear, to take them in any Senſe, and to ſubſcribe them in no Senſe only as Articles of Peace? It muſt be by ſome ſuch Evaſions that *Arians* ſubſcribe to *Athanaſian* Creeds, and *Arminians* to Principles of rigid *Calviniſm*. This the Clergy have been again and again reproach'd with, even by the Enemies of Chriſtianity. And I am ſorry to ſay it, they have not been able to wipe off the Scandal from themſelves. I am far from ſaying or believing that all the Clergy make theſe evaſive Subſcriptions: Thoſe only that do ſo give this Offence; and if they are, in other Caſes, Men of Integrity and Conſcience, they are Objects of great Compaſſion. As far as my own Judgment is concerned, I think this Manner of Subſcribing to Creeds and Articles of Faith, is infamous in its Nature, and vindicable upon no Principles of Conſcience and Honour. It tends to render the Clergy contemptible in the Eyes of the People, who will be apt to think that they have but little Reaſon to regard the Sermons of Men, who have prevaricated in their Subſcriptions, and that they preach for the ſame Reaſon only that they ſubſcribed, *viz.* their worldly Intereſt. 'Tis of very pernicious Influence and Example, and in its Conſequences leads to the Breach of all Faith amongſt Mankind, and tends to the Subverſion of civil Society. For if the Clergy are known to prevaricate in ſubſcribing to religious Teſts of Orthodoxy, is it not to be fear'd that others may learn from them to prevaricate in their Subſcriptions to civil Teſts of Loyalty? And indeed, there is a great deal of Reaſon to imagine, that if Men can tutor and twiſt their Conſciences ſo as to ſubſcribe Articles of Faith, contrary to their own Perſuaſion, and only as Articles of Peace, or a Qualification for a Living, they would ſubſcribe for the ſame Reaſon to Popery or Mahometaniſm; for if this be a good Reaſon for ſubſcribing any Articles which I do not believe, 'tis a Reaſon for ſubſcribing all; and therefore I humbly apprehend that a Practice, which gives ſo much Occaſion to ſuch ſcandalous Prevarications with God and Man, ſhould be caſt off as an inſufferable Grievance, and as an Yoak upon the Necks of the Clergy, too heavy for them to bear.

Let

Let me add farther, that this Practice of impoſing Subſcriptions, hath been the Occaſion of innumerable Miſchiefs in the Church of God. 'Twas the common Cry of the Orthodox and *Arians*, and all other Hereticks, in their Turns of Power, *Either ſubſcribe or depart from your Churches.* This enflamed the Clergy againſt each other, and filled them with Hatred, Malice and Revenge. For as by impoſing theſe Subſcriptions, Inquiſition was made into the Conſciences of others; the Refuſal to ſubmit to them was a certain Mark of Hereſy and Reprobation; and the Conſequence of this was the Infliction of all ſpiritual and temporal Puniſhments. 'Twas impoſſible but that ſuch Procedures ſhould perpetuate the Schiſms and Diviſions of the Church, ſince the Wrath of Man cannot work the Righteouſneſs of God, and ſince Civil Puniſhments have no Tendency to convince the Conſcience, but only to enflame the Paſſions againſt the Adviſers and Inflicters of them. And as eccleſiaſtical Hiſtory gives us ſo dreadful an Account of the melancholy and tragical Effects of this Practice, one would think that no Nation, who knew the Worth of Liberty, no Chriſtan Proteſtant Church, that hath any Regard for the Peace of the Flock of Chriſt, ſhould ever be found to authorize and continue it.

VI. What Security then ſhall we have left us for Truth and Orthodoxy, when our Subſcriptions are gone? Why, the ſacred Scriptures, thoſe Oracles of the great God, and Freedom and Liberty to interpret and underſtand them as we can; the Conſequence of this would be great Integrity and Peace of Conſcience, in the Enjoyment of our religious Principles, Union and Friendſhip amongſt Chriſtians, notwithſtanding all their Differences in Judgment, and great Reſpect and Honour to thoſe faithful Paſtors, that carefully feed the Flock of God, and lead them into Paſtures of Righteouſneſs and Peace. We ſhall loſe only the Incumbrances of Religion, our Bones of Contention, the Shackles of our Conſciences, and the Snares to Honeſty and Virtue; whilſt all that is ſubſtantially good and valuable, all that is truly divine and heavenly, would remain to enrich and bleſs us. The Clergy would indeed loſe their Power to do Miſchief; but would they not be happy in that Loſs, eſpecially as they would be infinitely more likely to do good? They would be no longer looked on as Fathers and Dictators in the Faith; but ſtill they might remain Ambaſſadors for Chriſt, beſeeching Men, in Chriſt's ſtead, to become reconciled to God. And was all human Authority, in Matters of Faith, thus wholly laid aſide, would not the Word of God have a freer Courſe, and be much more abundantly glorified? All Chriſtians would look upon Scripture as the only Rule of their Faith and Practice, and therefore ſearch it with greater Diligence and Care, and be much more likely to underſtand the Mind of God therein. The main Things of Chriſtianity, would unqueſtionably be generally agreed to by all; and as to other Things, Points of Speculation, and difficult Queſtions, if Chriſtians differ'd about them, their Differences would be of no great Importance, and might be maintained, conſiſtent with Charity and Peace.

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Indeed, a ſtrict and conſtant Adherence to Scripture, as the only Judge in Controverſies of Chriſtian Faith, would be the moſt likely Method to introduce into the Church, a real Uniformity of Opinion as well as Practice. For if this was the Caſe, many Diſputes would be wholly at an End, as having nothing to give Occaſion to them in the ſacred Writings; and all others would be greatly ſhorten'd, as hereby all foreign Terms, and human Phraſes of Speech, by which the Queſtions that have been controverted amongſt Chriſtians, have been darken'd and perplexed, would be immediately laid aſide, and the only Enquiry would be, What is the Senſe of Scripture? What the Doctrine of Chriſt and his Apoſtles? This is a much more ſhort and effectual Way of determining Controverſies, than ſending Men to *Nice* and *Chalcedon*, to Councils and Synods, to *Athanaſius* or *Arius*, to *Calvin* or *Arminius*, or any other Perſons whatſoever that can be mentioned, who at beſt deliver but their own Senſe of Scripture, and are not to be regarded any farther than they agree with it. It was a Departure from this, as the great Standard of Faith, and corrupting the Simplicity of the Goſpel Doctrine by hard unſcriptural Words, that gave Occaſion to the innumerable Controverſies, that formerly troubled the Chriſtian Church. Human Creeds were ſubſtituted in the Room of Scripture; and according as Circumſtances differ'd, or new Opinions were broached, ſo were the Creeds corrected, amended and enlarged, till they became ſo full of Subtleties, Contradictions, and Nonſenſe, as muſt make every thoughtful Man read many of them with Contempt. The Controverſy was not about Scripture Expreſſions, but about the Words of Men, not about the Senſe of Scripture, but the Decrees of Councils, and the Opinions of *Athanaſius*, *Leo*, *Cyril*, and the venerable Fathers. And upon this foot 'twas no Wonder their Diſputes ſhould be endleſs; ſince the Writings of all fallible Men muſt certainly be more obſcure and intricate than the Writings of the infallible Spirit of Truth, who could be at no Loſs about the Doctrines he dictated, nor for proper Words ſuitably to expreſs them. 'Tis infinite, 'tis endleſs Labour, to conſult all that the Fathers have written; and when we have conſulted them, What one Controverſy have they rationally decided? What one Chriſtian Doctrine have they clearly and ſolidly explain'd? How few Texts of Scripture have they critically ſettled the Senſe and Meaning of? How often do they differ from one another, and in how many Inſtances from themſelves? Thoſe who read them greatly differ in their Interpretation of them; and Men of the moſt contrary Sentiments, all claim them for their own. *Athanaſians* and *Arians* appeal to the Fathers, and ſupport their Principles by Quotations from them. And are theſe the venerable Gentlemen whoſe Writings are to be ſet up in Oppoſition to the Scripture, or ſet up as authoritative Judges of the Senſe of Scripture? Are Creeds of their dictating to be ſubmitted to as the only Criterion of Orthodoxy, or eſteemed as Standards to diſtinguiſh between Truth and Error? Away with this Folly and Superſtition! The Creeds of the Fathers and Councils are but human Creeds, that have all the Marks in them of human Frailty and Ignorance. The Creeds which are to be found in the Goſpel, are the infallible Dictates of

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the Spirit of the God of Truth, and as ſuch, claim our Reverence and Submiſſion; and as the forming our Principles according to them, as far as we are able to underſtand them, makes us Chriſtians in the Sight of God, it ſhould be ſufficient to every ones being owned as a Chriſtian by others, without their uſing any inquiſitory Forms of Trial, till they can produce their Commiſſion from Heaven for the Uſe of them. This, as it is highly reaſonable in it ſelf, would do the higheſt Honour to the Chriſtian Clergy; who, inſtead of being reproach'd for Haughtineſs and Pride, as Incendiaries and Plagues of Mankind, as the Sowers of Contention and Strife, and Diſturbers of the Peace of the Church of God; would be honoured for their Works ſake, eſteemed for their Characters, lov'd as Bleſſings to the World, heard with Pleaſure, and ſucceſsful in their Endeavours to recommend the Knowledge and Practice of Chriſtianity.

VII. Were the Doctrines of the Goſpel regarded as they ſhould be, and the Precepts of the Chriſtian Religion ſubmitted to by all who profeſs to believe it, univerſal Benevolence would be the certain Effect, and eternal Peace and Union would reign amongſt the Members of the Chriſtian Church. For if there are any Commands of certain Clearneſs, any Precepts of evident Obligation in the Goſpel, they are ſuch as refer to the Exerciſe of Love, and the maintaining univerſal Charity. In our Saviour's admirable Diſcourſe on the Mount, this was the excellent Doctrine he taught: *Bleſſed are the Meek, for they ſhall inherit the Earth. Bleſſed are the Merciful, for they ſhall obtain Mercy. Bleſſed are the Peace-makers, for they ſhall be called the Children of God.* And in another Place, deſcribing the Nature of Religion in general, he tells us, that *the Love of God is the firſt Commandment, and that the ſecond is like unto it; Thou ſhalt love thy Neighbour as thy ſelf.* This he enjoins upon his Diſciples as his peculiar Command: *This is my Commandment, that ye love one another, as I have loved you*; and recommends it to them as that whereby they were to be diſtinguiſhed from all other Perſons. *A new Commandment I give unto you, that ye love one another as I have loved you, that ye alſo love one another. By this ſhall all Men know that ye are my Diſciples, if ye have Love one to another.* This was the more needful for them, conſidering that our Lord foreknew the grievous Perſecutions that would befal them for his ſake; to encourage them under which, he pronounces them bleſt: *Bleſſed are they which are perſecuted for Righteouſneſs ſake, for theirs is the Kingdom of Heaven*; whilſt, at the ſame time, he leaves a Brand of Infamy on Perſecutors, and marks them out for the Vengeance of God: *Rejoice and be exceeding glad, for great is your Reward in Heaven; for ſo perſecuted they the Prophets that were before you. Woe unto you, for ye build the Sepulchres of the Prophets, and your Fathers killed them; therefore, ſaith the Wiſdom of God, I will ſend you Prophets and Apoſtles, and they will ſlay and perſecute them, that the Blood of all the Prophets —— may be required of this Generation.* And, indeed, ſo far was our Lord from encouraging any perſecuting Methods, that he rebuked and put a Stop to all the Appearances of them. Thus when his Diſciples would have called down Fire from Heaven to conſume the *Samaritans*,

Matt. v. 5, 7, 9.

Matt. xxii. 35.

John xv. 12.

xiii. 34. 35.

Matt. v. 10.

12.

Luke xi. 47, &c.

ritans, who refuſed to receive him, he rebuked them, and ſaid, *Ye know not what manner of Spirit ye are of; the Son of Man is not come to deſtroy Mens Lives, but to ſave them*; and when one of thoſe who were with Chriſt cut off the Ear of one of the high Prieſt's Servants, upon his laying Hands on him, he ſeverely reproved him; *Put up again thy Sword into its Place; for all they that take the Sword ſhall periſh with the Sword.* And, in order to cure his Apoſtles of their Ambition and Pride, and to prevent their claiming an undue Power, he gave them an Example of great Humility and Condeſcention, in waſhing and wiping their Feet, and forbid them imitating the Gentiles, *by exerciſing Dominion and Authority; but whoever will be great amongſt you, let him be your Miniſter; and whoſoever will be chief amongſt you, let him be your Servant, even as the Son of Man came not to be miniſter'd unto, but to miniſter, and to give his Life a Ranſom for many.* And as the Jewiſh Teachers took on them the Name of Rabbi, to denote their Power over the Conſciences of thoſe they inſtructed, he commanded his Diſciples, *Be ye not called Rabbi, for one is your Maſter, even Chriſt, and all ye are Brethren; and call no Man Father upon Earth, for one is your Father, which is in Heaven. But he that is greateſt amongſt you, ſhall be your Servant.* From theſe, and other Paſſages of like Nature, it is very evident, that there is nothing in the Life of Jeſus Chriſt, that gives any Countenance to theſe wicked Methods of propagating and ſupporting Religion, that ſome of his pretended Followers have made uſe of, but the ſtrongeſt Directions to the contrary.

Luke ix. 55, 56. Matt. xxvi. 52. xx. 25, &c. xxiii. 8, &c.

It is indeed objected, that Chriſt ſays, *Compel them to come in, that my Houſe may be full:* But that this Compulſion means nothing more than Invitation and Perſuaſion, is evident, from the parallel Place of Scripture, where what St. *Luke* calls, *Compel them to come in*, is expreſſed by, *Bid them to the Marriage*, i. e. endeavour, not by Force of Arms, but by Argument and Reaſon, by Importunity and Earneſtneſs, and by ſetting before Men the Promiſes and Threatnings of the Goſpel, and thus addreſſing your ſelves to their Hopes and Fears, to perſuade and compel them to embrace my Religion, and become the Subjects of my Kingdom; and in this moral Senſe of Compulſion, the original Word is often uſed. But farther, 'tis, by a late Writer, reckon'd very ſurprizing, that Chriſt ſhould ſay, *Think not I am come to ſend Peace, I come not to ſend Peace, but a Sword; for I am come to ſet a Man at Variance with his Father, and the Daughter againſt her Mother*, &c. But how is this ſo very ſurprizing? or what Man of common Senſe can miſtake the Meaning of the Words, who reads the whole Diſcourſe? In the former Part of it, 'tis expreſly declared, that the moſt grievous Perſecutions ſhould befall his Diſciples for his ſake; *that Brother ſhould deliver up Brother to Death, and the Father the Child; and the Children ſhall riſe up againſt their Parents, and cauſe them to be put to Death.* Can any Man underſtand this of an Intention in Chriſt to ſet People at Variance, when 'tis a Prediction only of what ſhould be the Conſequence of publiſhing his Goſpel, through the Malice and Cruelty of its Oppoſers; a Prediction of what his Diſciples were to ſuffer, and not of what they were to make others to ſuffer. And as to that Paſ-

Luke xiv. 23. Matt. xxii. 9. Chriſtianity as old, &c. p. 305. Matt. x. 34, 35.

Luke xii. 49, 51. ſage in *Luke*, *I am come to ſend Fire on the Earth; and what will I, if it be already kindled? Suppoſe ye that I am come to give Peace on Earth? I tell you nay, but rather Diviſion.* How is it explain'd by Chriſt himſelf? Why, in the very next Words: *For from henceforth*, i. e. upon the Publication of my Religion and Goſpel, *there ſhall be five in one Houſe divided, three againſt two, and two againſt three*, &c. Can any Man need Paraphraſe and Criticiſm to explain theſe Paſſages of any Thing, but of that Perſecution which ſhould befall the Preachers and Believers of the Goſpel? Or imagine it to be a prophetick Deſcription of a Fire to be blown up by Chriſt to conſume others, when the whole Connection evidently refers it to a Fire, that the Oppoſers of his Religion ſhould blow up, to conſume himſelf and Followers? Jeſus knew 'twas ſuch a Fire as would firſt conſume himſelf. *I am come to ſend Fire on the Earth; and what will I, if it be already kindled?* Or, as the Words ſhould be tranſlated, *How do I wiſh it was already kindled?* How do I wiſh it to break out on my own Perſon, that I might glorify God by my Sufferings and Death? For as it follows, *I have a Baptiſm to be baptized with*, a Baptiſm with my own Blood: *And how am I ſtraiten'd till it be accompliſh'd!* After this Account of his own Sufferings, he foretells the ſame ſhould befall his Followers: *Suppoſe ye that I am come to give Peace on Earth? I tell you, Nay, but rather Diviſion*, i. e. as I my ſelf muſt ſuffer to bear Witneſs to the Truth, ſo, after my Deceaſe, ſuch ſhall be the unreaſonable and furious Oppoſition to my Goſpel, as ſhall occaſion Diviſions amongſt the neareſt Relations, ſome of whom ſhall hate and perſecute the other for their embracing my Religion. And of Conſequence *Chriſt did not declare, in the moſt expreſs Terms*, as the forementioned Writer aſſerts, *That he came to do that which we muſt ſuppoſe he came to hinder.* He did only declare, that he came to do what he was reſolved not to hinder, *i. e.* to publiſh ſuch a Religion as his Enemies would put him to Death for, and as would occaſion Diviſions amongſt the neareſt Relations, through the unreaſonable Hatred and Oppoſition that ſome would ſhew to others upon Account of it. This Matter is elſewhere clearly expreſſed by Chriſt: *Theſe Things have I ſpoken to you, that ye ſhould not be offended. They ſhall put you out of the Synagogues; yea, the Time cometh, that whoſoever killeth you, will think that he doth God Service. And theſe Things will they do unto you, becauſe they have not known the Father nor me*, i. e. have not underſtood either natural Religion, or the Religion of my Goſpel.

Ibid. John xvi. 1, 2, 3.

There is therefore nothing in the Conduct or Doctrines of Jeſus Chriſt to countenance or encourage Perſecution. His Temper was benevolent, his Conduct merciful, and one governing Deſign of all he ſaid, was to promote Meekneſs and Condeſcenſion, univerſal Charity and Love. And in this all his Apoſtles were careful Imitators of his Example: *Let Love*, ſaith St. *Paul*, *be without Diſſimulation; be kindly affectioned one to another with brotherly Love, in Honour, prefering one another. If it be poſſible, as much as in you lies, live peaceably with all Men.* And the Love he recommended was ſuch, *as worketh no ill to his Neighbour*, and which therefore he declares *to be the fulfilling of the Law.* And, leaſt different Sentiments in leſſer Matters ſhould cauſe Diviſions

Rom. xii. 9, 10. 18. xiii. 10.

viſions amongſt Chriſtians, he commands, *to receive him that is weak in the* Rom. xiv.
*Faith, not to doubtful Diſputations,* μη εις διακρισεις διαλογισμων, not to judge or 1.
to contend about Diſputations, or diſputable Things. Upon Account of ſuch
Matters, he orders that none ſhould *deſpiſe or judge others, becauſe God* Rom. xiv.
*had received them,* and becauſe every Man ought to be *fully perſuaded in his own* 3, 5.
*Mind,* and becauſe *the Kingdom of God was not Meat and Drink, but Righteouſneſs* 17.
*and Peace, and Joy, in the Holy Ghoſt,* and becauſe every one was to *give an* 4.
*Account of himſelf to God,* to whom alone, as his only Maſter, he was to ſtand
or fall. From theſe ſubſtantial Reaſons, he infers, *We then that are ſtrong,* xv. 1.
who have the moſt perfect Underſtanding of the Nature of Chriſtianity,
and our Chriſtian Liberty, *ought to bear the Infirmities of the Weak, and not to* 5.
*pleaſe our ſelves;* and having pray'd for them, that the God of Patience and
Conſolation would grant them to *be like minded one towards another, according to,*
or after the Example of *Chriſt,* that, notwithſtanding the Strength of ſome,
and the Weakneſs of others, they might, *with one Mind, and with one Mouth,* 6.
*glorify God, even the Father of our Lord Jeſus Chriſt;* he adds, as the Conclu-
ſion of his Argument, *Wherefore receive ye one another, as Chriſt alſo received* 7.
*us to the Glory of God.*

In his Letters to the *Corinthians,* he diſcovers the ſame divine and aimiable 1 Cor. i.
Spirit. In his firſt Epiſtle, he beſeeches them, *by the Name of the Lord Jeſus* 10, &c.
*Chriſt, that they would all ſpeak the ſame Thing, and that there ſhould be no Schiſm*
*amongſt them,* but that they ſhould be *perfectly joined together in the ſame Mind,*
*and in the ſame Judgment,* i. e. that they ſhould all own and ſubmit to Chriſt,
as their only Lord and Head, and not rank themſelves under different Lea-
ders, as he had been informed they had done; for that they were *the Body of* xii. 27.
*Chriſt,* and all of them his Members, and ought therefore to maintain that
*Charity* to one another, *which ſuffereth long, and is kind, which envieth not,* xiii. 1, &c.
*vaunteth not it ſelf, is not puffed up, doth not behave it ſelf unſeemly, ſeeketh not*
*her own, is not eaſily provoked, thinketh no Evil, rejoiceth not in Iniquity, but re-*
*joiceth in the Truth, beareth all Things, believeth all Things, hopeth all Things, en-*
*dureth all Things, which is greater and more excellent than Faith and Hope, which*
*fails not in Heaven it ſelf,* where Faith and Hope ſhall be at an End; and
without which, though we could *ſpeak with the Tongue of Men and Angels, ſhould*
*have the Gift of Prophecy, and underſtand all Myſteries, and all Knowledge, and*
*could remove Mountains, yea, though we ſhould beſtow all our Goods to feed the Poor,*
*and give our Bodies to be burned, we ſhould be only as ſounding Braſs, and as a tinkling*
*Cymbal,* nothing in the Account of God, nothing as to any real Profit and
Advantage that will accrue to us. And, in his ſecond Epiſtle, he takes his Leave 2 Cor.
of them with this divine Exhortation, and glorious Encouragement: *Finally,* xiii. 11.
*Brethren, farewell, be perfect, be of good Comfort, be of one Mind,* το αυτο φρονειτε,
be affectionate and kindly diſpoſed to one another, as though you were in-
fluenced by one common Mind; *Live in Peace, and the God of Love and Peace*
*ſhall be with you.*

In his Epiſtle to the *Galatians,* he gives us a Catalogue of thoſe Works Gal. v.
of the Fleſh which exclude Men from the Kingdom of God, ſuch as Adul- 19, &c.

tery, Fornication,—*Hatred, Variance, Emulation, Wrath, Strife, Seditions, Hereſies, Envyings*, and the like; and then aſſures us, that *the Fruits of the Spirit are Love, Joy, Peace, Long-ſuffering, Gentleneſs, Goodneſs, Faith, Meekneſs, and Temperance, againſt which there is no Law*; and, after having laid down this as
Gal. vi. 15. an eſſential Principle of Chriſtianity, that *neither Circumciſion availeth any Thing, nor Uncircumciſion, but a new Creature*, or, as 'tis expreſſed in another Place, *Faith which works by Love*; he pronounces this truly apoſtolick Benediction,
16. *As many as walk according to this Rule, Peace be on them, and Mercy, and upon the* Iſrael *of God.*

The ſame divine and excellent Strain runs through his Letter to the *Epheſians*:
Eph. iv. 1, &c. *I therefore, the Priſoner of the Lord, beſeech you that ye walk worthy of the Vocation wherewith ye are called, with all Lowlineſs and Meekneſs, with Long-ſuffering and Meekneſs, forbearing one another in Love, endeavouring to keep the Unity of the Spirit in the Bond of Peace*; and the Term of this Union, which he lays down is the Acknowledgment of one Catholick Church, one Spirit, one Lord and Mediator, and *one God, even the Father of all, who is above all, through all, and*
31. *in all.* The contrary Vices of *Bitterneſs, and Wrath, and Anger, and Clamour,*
32. *and evil ſpeaking, and Malice, are to be put away*, as Things that *grieve the Holy Spirit of God*: and we muſt *be kind one to another, forgiving one another, even as*
v. 1, 2. *God, for Chriſt's ſake, hath forgiven us, and be Followers of God, by walking in Love, even as Chriſt hath alſo loved us, and hath given himſelf for us.*

Phil. ii. 1, &c. His Exhortation to the *Philippians*, is in the moſt moving Terms: *If there be any Conſolation in Chriſt, if any Comfort of Love, if any Fellowſhip of the Spirit, if any Bowels and Mercies, fulfil ye my Joy, that ye be like minded, having the ſame Love, being of one Accord, of one Mind. Let nothing be done through Striſe or Vainglory, but in lowlineſs of Mind let each eſteem other better than themſelves.*

In his Exhortation to the *Coloſſians*, he warmly preſſes our cultivating the
Coloſſ. iii. 8, &c. ſame Diſpoſition, and abounding in the ſame Practice: *Put of all theſe, Anger, Wrath, Malice;—put on as the Elect of God, holy and beloved, Bowels of Mercies, Kindneſs, Humbleneſs of Mind, Meekneſs, Long-ſuffering, forbearing one another, and forgiving one another, even as Chriſt forgave us. And, above all theſe Things, put on Charity, which is the Bond of Perfectneſs, and let the Peace of God rule in your Hearts, to which alſo ye are called in one Body.*

In his Directions to *Timothy*, he gives him this Summary of all practical
1 Tim. i 5, &c. Religion: *The End of the Commandment is Charity out of a pure Heart, and a good Conſcience, and Faith unfeigned*, and he aſcribes Mens turning aſide to vain jangling, to their having ſwerved from this great Principle.

And, to mention no more Paſſages on this Head, I ſhall conclude this whole Account with that amiable Deſcription of the Wiſdom, that is from above given by St. *James*: *The Wiſdom that is from above, is pure and peaceable, and*
James iii. 14, &c. *gentle, and eaſy to be intreated, full of good Fruits, without Partiality, and without Hypocriſy. But if we have bitter Envying and Striſe in our Hearts, we have nothing to glory in, but we lye againſt the Truth*, i. e. belye our Chriſtian Profeſſion; for whatever falſe Judgment we may paſs upon our ſelves, this *Wiſdom deſcendeth not from above, but is earthly, ſenſual, deviliſh; for where Envying and Striſe is, there is Confuſion, and every evil Work.*

I have thrown all these excellent Passages of the sacred Writings together, that it may appear in the most convincing Light, that the Scriptures have nothing in them to countenance the Spirit, or any of the Methods of Persecution, and to confront the melancholy Account I have given before of the Progress and Ravages caused by this accursed Evil. Good God, how have the Practices of Christians differed from the Precepts of Christianity! Would one imagine that the Authors of those dreadful Mischiefs and Confusions were the Bishops and Ministers of the Christian Church? That they had ever read the Records of Christian Religion? Or if they had, that they ever believed them?

But it may be objected, that whatever may be the Precepts of the Christian Religion, yet the Conduct even of the Apostles themselves gives some Countenance to the Spirit and Practice of Persecution, and particularly the Conduct of St. *Paul*; and that such Powers are given to the Guides and Bishops of the Christian Church, as do either expresly or virtually include in them a a Right to persecute. Let us briefly examine each of these Pretensions.

As to the Practice of the Apostles, *Beza* mentions two Instances to vindicate the Punishment of Hereticks. The first is that of *Ananias* and *Sapphira*, struck dead by *Peter*; and the other that of *Elymas* the Sorcerer, struck blind by *Paul*. But how impertinently are both these Instances alledged? Heresy was not the Thing punished in either of them. *Ananias* and *Sapphira* were struck dead for Hypocrisy and Lying, and for conspiring, if it were possible, to deceive God. *Elymas* was a *Jewish* Sorcerer, and false Prophet, a subtle mischievous Fellow, an Enemy to Righteousness and Virtue, who withstood the Apostolick Authority, and endeavoured, by his Frauds, to prevent the Conversion of the Deputy to the Christian Faith. The two first of these Persons were punished with Death. By whom? What, by *Peter?* No, by the immediate Hand of God. *Peter* gave them a Reproof suitable to their Wickedness; but as to the Punishment, he was only the Mouth of God in declaring it, even of that God who knew the Hypocrisy of their Hearts, and gave this signal Instance of his Abhorrence of it in the Infancy of the Christian Church, greatly to discourage, and, if possible, for the future, to prevent Mens thus dealing fraudulently and insincerely with God. And, I presume, if God hath a Right to punish Frauds and Cheats in another World, he hath a Right to do so in this; especially in the Instance before us, which seems to have something very peculiar in it. *Peter* expresly says to *Sapphira*, *How is it that ye have agreed together to tempt the Spirit of the Lord?* What can this tempting of the Spirit of the Lord be, but an Agreement between *Ananias* and his Wife, to put this Fraud on the Apostle, to see whether or no he could discover it by the Spirit he pretended to? This was a proper Challenge to the Spirit of God, which the Apostles were endewed with, and a Combination to put the Apostolick Character to the Trial. Had not the Cheat been discovered, the Apostle's Inspiration and Mission would have been deservedly questioned, and as the State of Christianity required that this divine Mission should be abundantly established, *Peter* lets them know that

De Hæret. a Magist. pun. p. 161, &c.

Acts v. 9.

their Hypocriſy was diſcover'd, and, to create the greater Regard and Attention to their Perſons and Meſſage, God ſaw fit to puniſh that Hypocriſy with Death.

Acts xiii. 6, &c. As to *Elymas* the Sorcerer, this Inſtance is as foreign and impertinent as the other. *Sergius Paulus*, Proconſul of *Cyprus*, had entertained at *Paphos* one *Barjeſus* a *Jew*, a Sorcerer; and hearing alſo that *Paul* and *Barnabas* were in the City, he ſent for them to hear the Doctrine they preached. Accordingly they endeavoured to inſtruct the Deputy in the Chriſtian Faith, but were withſtood by *Elymas*, who, by his Subtleties and Tricks, endeavoured to hinder his Converſion. St. *Paul* therefore, in order to confirm his own divine Miſſion, and to prevent the Deputy's being deceived by the Frauds and Sorceries of *Elymas*, after ſeverely rebuking him for his Sin, and Oppoſition to Chriſtianity, tells him, not that the Proconſul ought to put him in Jail, and puniſh him with the civil Sword, but that God himſelf would decide the Controverſy, by ſtriking the Sorcerer himſelf immediately blind, which accordingly came to paſs, to the full Conviction of the Proconſul. Now what is there in all this to vindicate Perſecution? God puniſhes wicked Men for Fraud and Sorcery, who knew their Hearts, and had a Right to puniſh the Iniquity of them. Therefore Men may puniſh others for Opinions they think to be true, and are conſcientious in embracing, without knowing the Heart, or being capable of diſcovering any Inſincerity in it. Or God may vindicate the Character and Miſſion of his own Meſſengers, when wickedly oppoſed and denied, by immediate Judgments inflicted by himſelf on their Oppoſers. Therefore the Magiſtrate may puniſh and put to Death, without any Warrant from God, ſuch who believe their Miſſion, and are ready to ſubmit to it, as far as they underſtand the Nature and Deſign of it. Are theſe Conſequences juſt and rational? or would any Man have brought theſe Inſtances as Precedents for Perſecution, that was not reſolved, at all Hazards, to defend and practiſe it?

1 Cor. v. 5. Gal. i. 9. v. 12. Rom. xvi. 17. 1 Cor. v. 9. But doth not St. *Paul* command to *deliver Perſons to Satan for the Deſtruction of the Fleſh?* Doth he not *wiſh that they were even cut off who trouble Chriſtians, and enjoin us to mark them which cauſe Diviſions and Offences, contrary to his Doctrine, and to avoid them, and not to eat with them?* Undoubtedly he doth. But what can be reaſonably infer'd from hence in favour of Perſecution, merely for the ſake of Opinions and Principles? In all theſe Inſtances, the Things cenſured are Immoralities and Vices. The Perſon who was deliver'd by St. *Paul* to Satan, was guilty of a Crime not ſo much as named by the *Gentiles* themſelves, the inceſtuous Marriage of his Father's Wife; and the Perſons we are, as Chriſtians, commanded not to keep company and eat with, are Men of ſcandalous Lives; ſuch as Fornicators, or Covetous, or Idolaters, or Railers, or Drunkards, or Extortioners, making a Profeſſion of the Chriſtian Religion, or, in St. *Paul*'s Phraſe, *called Brethren*; a wiſe and prudent Exhortation in thoſe Days eſpecially, to prevent others from being corrupted by ſuch Examples, and any Infamy thrown on the Chriſtian Name and Character. As to thoſe whom the Apoſtle *wiſhes cut off*, they were the perſecuting *Jews*,

who

who ſpread Contention amongſt Chriſtians, and taught them to bite and devour one another, upon Account of Circumciſion, and ſuch-like Trifles; Men that were the Plagues and Corrupters of the Society they belonged to. Men who cauſed ſuch Diviſions, and who cauſed them out of a Love to their own Belly, deſerved to have a Mark ſet upon them, and to be avoided by all who regarded their own Intereſt, or the Peace of others.

What the Apoſtle means by delivering to Satan, I am not able certainly to determine. It was not, I am ſure, the putting the Perſon in Jail, or torturing his Body by an Executioner; not ſending him to the Devil by the Sword or the Fagot. One Thing included in it undoubtedly was, his Separation from the Chriſtian Church: *Put away from amongſt your ſelves that wicked Perſon*, which probably was attended with ſome bodily Diſtemper, which, as it came from God, had a Tendency to bring the Perſon to Conſideration and Reflection. The immediate Deſign of it was the Deſtruction of the Fleſh, to cure him of his Inceſt, that, by Repentance and Reformation, his *Spirit might be ſaved in the Day of Chriſt*; and the Power by which the Apoſtle inflicted this Puniſhment, was peculiar to himſelf, which God gave him *for Edification, and not for Deſtruction*: So that whatever is preciſely meant by delivering to Satan, it was the Puniſhment of a notorious Sin; a Puniſhment that carried the Marks of God's Hand, and was deſign'd for the Perſon's Good, and was actually inſtrumental to recover and ſave him, 2 *Cor.* ii. But what Reſemblance is there in all this to Perſecution, in which there is no Appearance of the Hand of God, nor any Marks but thoſe of the Cruelty and Vengeance of Men; no Immorality puniſhed, and, generally ſpeaking, nothing that in its Nature deſerves Puniſhment, or but what deſerves Encouragement and Applauſe. And 'tis very probable that this is what St. *Paul* means by his *wiſhing thoſe cut off* who diſturbed the Peace of the *Galatian* Chriſtians, by ſpreading Diviſions amongſt them, and exciting Perſecutions againſt them; though, I confeſs, if St. *Paul* meant more, and pray'd to God that thoſe obſtinate and incorrigible Enemies to Chriſtianity, who, for private Views of worldly Intereſt, raiſed perpetual Diſturbances and Perſecutions where-ever they came, might receive the juſt Puniſhment of their Sins, and be hereby prevented from doing farther Miſchief, I don't ſee how this would have been inconſiſtent with Charity, or his own Character, as an inſpired Apoſtle.

1 Cor. v. 13.

2 Cor. x. 8.

It may poſſibly be urged, that though the Things cenſured in theſe Places are Immoralities, yet that there are other Paſſages which refer only to Principles, and that the Apoſtle *Paul* ſpeaks againſt them with great Severity: As particularly, *If any Man preach any other Goſpel unto you, than that ye have received, let him be accurſed.* And again, *A Man that is an Heretick, after the firſt and ſecond Admonition, reject.* As to the firſt of theſe, nothing can be more evident than that the Apoſtle pronounces an Anathema only againſt thoſe who ſubverted the Chriſtian Religion, ſuch who taught that it was inſufficient to Salvation, without Circumciſion, and Submiſſion to the *Jewiſh* Law: As the Goſpel he taught, was what he had received from Chriſt, he had, as an Apoſtle, a Right to warn the Churches he wrote to againſt corrupting the

Gal. i. 9. Tit. iii. 10.

Simplicity of it, and to pronounce an Anathema, *i. e.* to declare, in the Name of his great Maſter, that all ſuch falſe Teachers ſhould be condemned who continued to do ſo; and this is the utmoſt that can be made of the Expreſſion; and therefore this Place is as impertinently alledged in favour of Perſecution, as it would be to alledge thoſe Words of Chriſt: *He that believeth not, ſhall be condemned.* The Anathema pronounced, was the divine Vengeance, it was *Anathema Maranatha*, to take Place only when the Lord ſhould come to Judgment, and not to be executed by human Vengeance.

As to Hereſy, againſt which ſuch dreadful Outcries have been raiſed, 'tis taken indifferently in a good or a bad Senſe in the Scripture. In the bad Senſe, it ſignifies, not an involuntary Error, or Miſtake of Judgment, into which ſerious and honeſt Minds may fall, after a careful Enquiry into the Will of God, but a wilful criminal Corruption of the Truth for worldly Ends and Purpoſes. Thus 'tis reckon'd, by St. *Paul* himſelf, amongſt the Works of the Fleſh,
Gal. v. 20. ſuch as Adultery, Fornication, Variance, Strifes, and the like, becauſe Hereſy is embraced for the ſake of fleſhly Luſts, and always miniſters to the ſerving them. Thus St. *Peter*, *There were falſe Prophets alſo amongſt the People, even as there ſhall*
2 Pet. ii. *be falſe Teachers amongſt you, who privily ſhall bring in damnable Hereſies, even deny-*
1, &c. *ing the Lord that bought them, and bring upon themſelves ſwift Deſtruction; and many ſhall follow their pernicious Ways, by reaſon of whom the Way of Truth ſhall be*
v. 10. *evil ſpoke of; and through Covetouſneſs ſhall they, with feigned Words, make Merchandize of you*; whom he farther deſcribes, *as walking after the Fleſh in the Luſt of Uncleanneſs*, and as given to almoſt all manner of Vices. This is *Hereſy, and denying the Lord that bought us*, and the only Meaning of the Expreſſion, as uſed by the Apoſtle; though it hath been applied by weak or deſigning Men,
Tit. iii. to denote all ſuch as don't believe their metaphyſical Notion of the Trinity,
11. or the *Athanaſian* Creed. Hence it is that St. *Paul* gives it, as the general Character of an Heretick, that *he is ſubverted*, viz. from the Chriſtian Faith, *ſinneth*, viz. by voluntarily embracing Errors, ſubverſive of the Goſpel, in favour of his Luſts, on which Account he is *ſelf-condemn'd*, viz. by his own Conſcience, both in the Principles he teaches, and the vile Uſes to which he makes them ſerve: So that tho' ſincere and honeſt Enquirers after Truth, Perſons who fear God, and practiſe Righteouſneſs, may be Hereticks in the Eſteem of Men, for not underſtanding and believing their Peculiarities in Religion, yet they are not and cannot be Hereticks, according to the Scripture Deſcription of Hereſy, in the Notion of which there is always ſuppoſed a wicked Heart, cauſing Men wilfully to embrace and propagate ſuch Principles as are ſubverſive of the Goſpel, in order to ſerve the Purpoſes of their Avarice, Ambition, and Luſt. Such Hereſy as this is unqueſtionably one of the worſt of Crimes, and Hereticks of this kind are worthy to be rejected. It muſt be confeſſed, that Hereſy hath been generally taken in another Senſe, and to mean Opinions that differ from the eſtabliſhed Orthodoxy, or from the Creeds of the Clergy, that are uppermoſt in Power; who have not only taken on them to reject ſuch as have differ'd from them, from their Communion and Church, but to deprive them of Fortune, Liberty and Life. But

as

as St. *Paul*'s Notion of Hereſy entirely differs from what the Clergy have generally taught about it, theirs may be allowed to be a very irrational and abſurd Doctrine, and the Apoſtle's remain a very wiſe and good one; and though they have gone into all the Lengths of Wickedneſs to puniſh what they have ſtigmatized with the Name of Hereſy, they have had no apoſtolick Example or Precept to countenance them; Scripture Hereticks being only to be rejected from the Church, according to St. *Paul*, and as to any farther Puniſhment, 'tis deferred till the Lord ſhall come.

As to the Powers given to the Guides, or Overſeers, or Biſhops of the Church, I allow their Claims have been exceeding great. They have aſſumed to themſelves the Name of the *Church* and *Clergy*, hereby to diſtinguiſh themſelves from the Flock of Chriſt. They have taken on them, as we have ſeen, to determine, mend, and alter the Faith, to make Creeds for others, and oblige them to ſubſcribe them, and to act as though our Saviour had diveſted himſelf of his own Rights, and given unto them *all Power in Heaven and Earth*. But theſe Claims have as little Foundation in the Goſpel as in Reaſon. The Words *Clergy* and *Church*, are never once uſed in Scripture to denote the Biſhops or other Officers, but the Chriſtian People. St. *Peter* adviſes the Presbyters *to feed the Flock of God, and to exerciſe the Epiſcopal Office willingly*, [a] *not as lording it over the Heritages*, or Clergy of God. And St. *Paul*, writing to his *Epheſians*, and ſpeaking of their Privileges as Chriſtians, ſays, that *by Chriſt they were made God's peculiar Lot*, or Heritage, or [b] Clergy. In like manner, the Body of Chriſtians in general, and particular Congregations in particular Places, are called the Church, but the Miniſters of the Goſpel never in contradiſtinction to them. 'Tis of all Believers that St. *Peter* gives that noble Deſcription, that they are *a ſpiritual Houſe, an holy Prieſthood, to offer up ſpiritual Sacrifices, a choſen Generation, a royal Prieſthood, an holy Nation, and a* [c] *peculiar People*, or a People for his peculiar Heritage, or *purchaſed Poſſeſſion*, as the Word is render'd, *Eph.* i. 14. So that to be the Church, the Clergy, and the ſacred Prieſts of God, is an Honour common to all Chriſtians in general by the Goſpel Charter. Theſe are not the Titles of a few only, who love to exalt themſelves above them.

1 Pet. v. 3.

Undoubtedly, the Order of the Chriſtian Worſhip requires, that there ſhould be proper Perſons to guide and regulate the Affairs of it. And accordingly St. *Paul* tells us, that *Chriſt gave ſome Apoſtles, ſome Prophets, ſome Evangeliſts, and ſome Paſtors and Teachers*, different Officers, according to the different State and Condition of his Church. To the Apoſtles, extraordinary Powers were given, to fit them for the Service to which they were called; and, to enable them to manage theſe Powers in a right Manner, they were under the peculiar Conduct of the Spirit of God. Thus our Saviour, after his Reſurrection, breathed on his Diſciples the Holy Ghoſt, and ſaid, *Whoſe ſoever Sins ye remit, they are remitted to them; and whoſe ſoever Sins ye retain*,

Eph. iv. 11.

John xx. 23.

[a] Μη ως καταχυειδοντες των κληρων.
[b] Εν ω και εκληρωθημεν.
[c] Λαον εις περιποιησιν.

*they are retained*; a Commiſſion of the ſame import with that which he gave them before, *Matt.* xviii. 18. *Whatſoever ye ſhall bind on Earth, ſhall be bound in Heaven; and whatſoever ye ſhall looſe on Earth, ſhall be looſed in Heaven.* To *bind*, is to *retain Mens Sins*; and to *looſe*, is to *remit their Sins*. And this Power the Apoſtles had; and it was abſolutely neceſſary they ſhould have it, or they could never have ſpread his Religion in the World. But wherein did this binding and looſing, this retaining and remitting Sins, conſiſt? What, in their ſaying to this Man, I abſolve you from your Sins; and to the other, I put you under the Sentence of Damnation? Would any conſiderate Man in the World have ever credited their Pretenſions to ſuch an extravagant Power? Or can one ſingle Inſtance be produced of the Apoſtles pretending to exerciſe it? No. Their Power of binding and looſing, of retaining and remitting Sins conſiſted in this, and in this principally, *viz.* their fixing the great Conditions of Mens future Salvation, and denouncing the Wrath of Almighty God againſt all, who, thro' wilful Obſtinacy, would not believe and obey the Goſpel. And the Commiſſion was given them in the moſt general Terms, *Whoſe ſoever Sins ye retain*, &c. not becauſe they were to go to particular Perſons, and peremptorily ſay, *You ſhall be ſaved, and you ſhall be damned*, but becauſe they were to preach the Goſpel to *Gentiles*, as well as *Jews*, and to fix thoſe Conditions of future Happineſs and Miſery, that ſhould conclude all the Nations of the Earth, to whom the Goſpel ſhould be preached. This was their proper Office and Work, as Apoſtles; and, in order to this, they had the Spirit given them, to bring all Things that Chriſt had ſaid to their Remembrance, and to inſtruct them fully in the Nature and Doctrines of the Goſpel. And as they have declared the whole Counſel of God to the World, they have looſed and bound all Mankind, *even the very Biſhops and Paſtors of the Church, as well as others*, as they have fixed thoſe Conditions of Pardon and Mercy, of future Happineſs and Miſery for all Men, from which God will not recede, to the End of Time. This was a Power fit to be entruſted with Men under the Conduct of an unerring Spirit, and with them only; whereas the common Notion of ſacerdotal or prieſtly Abſolution, as it hath no Foundation in this Commiſſion to the Apoſtles, nor in any Paſſage of the ſacred Writings, is irrational and abſurd, and which the Prieſts have no more Power to give, than any other common Chriſtian whatſoever, no, nor than they have to make a new Goſpel.

I would add, that as the Apoſtles received this Commiſſion from Chriſt, they were bound to confine themſelves wholly to it, and not to exceed the Limits of it. They were his Servants who ſent them, and the Meſſage they received from him, that, and that only, were they to deliver to the World. Thus St. *Paul* ſays of himſelf, that *God had committed to him the Word of Reconciliation*, and that he was *an Ambaſſador for Chriſt*; that he *preached not himſelf, but Chriſt Jeſus the Lord, and himſelf the Servant of others for Jeſus ſake*; that he had *no Dominion over others Faith*, no Power to impoſe upon them arbitrary Things, or Articles of Faith, which he had not received from Chriſt; and that accordingly he *determined to know nothing but Chriſt, and him crucified*, i.e. to

2 Cor. v. 20. iv. 5. i. 24. 1 Cor. ii. 2.

preach nothing but the pure and uncorrupted Doctrines of his Gospel; and that this was his great Comfort, that he had *not shunned to declare the Counsel of God.* If then the inspired Apostles were to confine themselves to what they received from God, and had no Power to make Articles of Faith, and fix Terms of Communion and Salvation, other than what they were immediately ordered to do by Christ, it is absolutely impossible that the Clergy can have that Power now; who have, as I apprehend, no immediate Commission from Christ, nor any direct Inspiration from his Holy Spirit. Nor is there any Thing in the Circumstances of the World to render such a Power desirable; because the Apostles have shewn us all Things that we need believe or practise as Christians, and commanded the Preachers of the Gospel to teach no other Doctrines but what they received from them. Hence St. *Peter*'s Advice to the Elders, that they should *feed the Flock of God, not as lording it over the Heritage.* And St. *Paul*, in his Epistles to *Timothy*, instructing him in the Nature of the Gospel Doctrines and Duties, tells him, that *by putting the Brethren in Remembrance of these Things, he would approve himself a good Minister of Jesus Christ*, and commands him to *take Heed to himself, and to the Doctrines* he had taught him, *and to continue in them*, charging him, in *the Sight of God, and before Christ Jesus, to keep the Commandment given him, that which was committed to his Trust, without Spot, unrebukeable, till the Appearance of Christ Jesus.* These were the Things to which *Timothy* was to confine himself, and to commit to others, that they might be continually preached in the Christian Church; and of Consequence 'tis the same Apostolick Doctrine that the Bishops, or Elders, or Ministers of the Church, are to instruct their Hearers in now, as far as they understand it, without mixing any Thing of their own with it, or of any other Persons whatsoever.

1 Pet. v. 3. 1 Tim. iv. 6. vi. 13, 14, 20. 2 Tim. ii. 2.

The great End and Design of the ministerial Office, is for the *perfecting of the Saints, and the edifying of the Body of Christ.* Hence *the Elders* are commanded *to take Heed to themselves, and to the Flock over which the Holy Ghost had made them* BISHOPS, *to feed the Church of God.* They are likewise exhorted to *hold fast the faithful Word, as they had been taught, that by sound Doctrine they may be able to exhort and convince others.* They are to *give Attendance to Reading, Exhortation, and Doctrine*, and to put others in Remembrance of the great Truths of the Gospel, charging them, before the Lord, not to strive about unprofitable Words, but *to be gentle to all Men*, and *in Meekness to instruct even those who oppose.* They are to *contend earnestly for the Faith*, as well as other Christians, but then 'tis for *that Faith which was once delivered to the Saints*; and, even for this, *the Servant of the Lord is not*, μαχεσθαι, *to fight.* He is not to use *carnal*, but *spiritual Weapons*, nor to put on any Armour, but that of Righteousness on the Right Hand, and on the Left. They are to *speak the Truth*, but it must be *in Love.* They should be *zealously affected*, but it should be always *in a good Thing.* They must *stop the Mouths of unruly and vain Talkers*, but it must be by *Uncorruptness of Doctrine, Gravity, Sincerity, and sound Speech, that cannot be condemned.* Upon these, and the like Accounts, they are said

Acts xx. 28. 2 Tim. ii. 24. Eph. iv. 15. Tit. i. 11. ii. 8.

to be *over us in the Lord*, to *rule us*, and to be *our Guides*; Words that do not imply any Dominion that they have over the Conſciences of others, nor any Right in them to preſcribe Articles of Faith and Terms of Communion for others. This they are expreſly forbidden, and commanded to preach the Word of God only, and pronounced accurſed if they teach any other Goſpel than that which they have received from the Apoſtles. And of Conſequence when we are bid *to obey* and *ſubmit our ſelves* to them, it is meant then, and then only when they *rule us in the Lord*, when they ſpeak to us the Word of God, and *labour in the Word and Doctrine*. In all other Caſes, they have no Power, nor is there any Obedience due to them. They are to be reſpected, and to *be had in double Honour for their Work ſake*, i. e. when they *preach not themſelves, but Chriſt Jeſus the Lord*, and when their Faith and Converſation is ſuch, as to become worthy our Imitation. But if *they teach otherwiſe, and conſent not to the Words of our Lord Jeſus, if they doat about Words whereof come Envy, Strife and Railing, ſuppoſing that Gain is Godlineſs, from ſuch we are commanded to withdraw our ſelves.* The Epiſcopal Character, however otherwiſe greatly venerable, then forfeits the Reverence due to it, and becomes contemptible.

So that there are no Powers or Privileges annexed to the Epiſcopal or Miniſterial Character in the ſacred Writings, that are in the leaſt favourable to the Cauſe of Perſecution, or that countenance ſo vile and deteſtable a Practice. As to the Affair of Excommunication, by which the Clergy have ſet the World ſo often in a Flame, there is nothing in the ſacred Records that confines the Right of exerciſing it to them, nor any Command ever to exerciſe it, but towards notorious and ſcandalous Offenders. The inceſtuous *Corinthian* was delivered over to Satan by the Church in full Aſſembly, on which Account his Puniſhment or Cenſure is ſaid to be *by many*. And though St. *Paul* bids *Titus* to *reject an Heretick*, he alſo bids the *Corinthians* to *put away that wicked Perſon from amongſt them*, which had brought ſuch a Scandal upon their Church, and the *Theſſalonians, to withdraw themſelves from every Brother that ſhould walk diſorderly*. So that as the Clergy have no Right, from the New Teſtament, to determine in Controverſies of Faith, nor to create any new Species of Hereſy, ſo neither have they any excluſive Right to cut off any Perſons from the Body of the Church, much leſs to cut them off from it for not ſubmitting to their Creeds and Canons; and of Conſequence no Power to mark them out by this Act to the civil Magiſtrate, as Objects of his Indignation and Vengeance.

1 Cor. v. 4.

2 Cor. ii. 6.

I have been the longer on this Head, that I might fully vindicate the Chriſtian Revelation, from every Suſpicion of being favourable to Perſecution. Notwithſtanding ſome late Inſinuations of this kind that have been thrown out againſt it by its profeſſed Adverſaries, let but the Expreſſions of Scripture be interpreted with the ſame Candour as any other Writings are, and there will not be found a ſingle Sentence to countenance this Doctrine and Practice. And therefore though Men of corrupt Minds, or weak Judgments, have, for the ſake of worldly Advantages, or through ſtrong

Prejudices, entered into the Meaſures of Perſecution under Pretence of vindicating the Chriſtian Religion, yet as they have no Support and Foundation in the Goſpel of Chriſt, the Goſpel ought not to be reproached for this, or any other Faults of thoſe who profeſs to believe it. Let Perſecution be repreſented as a moſt deteſtable and impious Practice, and let Perſecutors of every Denomination and Degree bear all the Reproaches they deſerve, and be eſteemed, as they ought to be, the Diſturbers, Plagues and Curſes of Mankind, and the Church of God; but let not the Religion of Jeſus Chriſt ſuffer for their Crimes, nor ſhare any Part of that Scandal, which is due only to thoſe who have diſhonoured their Character and Profeſſion, and abuſed the moſt beneficent and kind Inſtitution that ever appeared in the World.

It is in order to expoſe this ſhameful Practice, and render it the Abhorrence of all Mankind, that I have drawn up the foregoing Sheets, and, I preſume, that no one who hath not put off Humanity it ſelf can read them, without becoming Sentiments of Indignation. The true Uſe to be made of that Hiſtory, is, not to think diſhonourably of Chriſt and his Religion, not to contemn and deſpiſe his faithful Miniſters, who, by Preaching and Practice, by Reaſon and Argument, endeavour to propagate Knowledge, Piety, Righteouſneſs, Charity, and all the Virtues of private and ſocial Life. The Bleſſing of the Almighty God be with them. The Grace of our Lord Jeſus Chriſt ſucceed and proſper them. I ſay therefore, the Uſe of the foregoing Hiſtory is to teach Men to adhere cloſe to the Doctrines and Words of Chriſt and his Apoſtles, to argue for the Doctrines of the Goſpel with Meekneſs and Charity, to introduce no new Terms of Salvation and Chriſtian Communion, not to trouble the Chriſtian Church with metaphyſical Subtleties and abſtruſe Queſtions, that miniſter to Quarelling and Strife, not to pronounce Cenſures, Judgments, and Anathemas, upon ſuch as may differ from us in ſpeculative Truths, not to exclude Men from the Rights of civil Society, nor lay them under any negative or poſitive Diſcouragements for Conſcience ſake, or for their different Uſages and Rites in the Externals of Chriſtian Worſhip; but to remove thoſe which are already laid, and which are as much a Scandal to the Authors and Continuers of them, as they are a Burthen to thoſe who labour under them. Theſe were the ſole Views that influenced me to lay before my Reader the foregoing melancholy Account; not any Deſign to reflect on the Clergy in general, whoſe Office and Character I greatly reverence, and who, by acting according to the original Deſign of their Inſtitution, would prove the moſt uſeful Set of Men in every Nation and Kingdom, and thereby ſecure to themſelves all the Eſteem they could reaſonably deſire in the preſent World, and, what is infinitely more valuable, the Approbation of their great Lord and Maſter in another.

*FINIS.*

# The Introduction.

Prejudices entered into the Manners of Men, under Pretence of vindicating the Christian Religion, yet as they have so much and frequently in the Gospel of Christ, the Gospel ought not to be reproached for this, or any other Faults of those who profess to believe in it. Let Persecution be reproved as a most detestable and impious Practice, and let Persecutors of every Denomination and Degree bear all the Reproaches they deserve, and be disowned, as they ought to be, as Disturbers, Enemies and Curses of Mankind, and the Church of God; but let not the Religion of Jesus Christ suffer for their Crimes, nor there any Prejudice conceived, which is due only to those who have dishonoured their Character and Profession, and violated the most benefitent and kind Institution that ever appeared in the World.

It is in order to expose this shameful Practice, and render it the Abhorrence of all Mankind, that I have drawn up the following Sheets, and, I presume, that no one who has not put off Humanity can read them without becoming Partizans of Justice. It is to be made to appear, that Raillery, is, not to vanish dishonourably of Christ and his Religion, nor to contain and defeate his faithful Ministers, who, by Preaching and Practice, by Reason and Argument, endeavour to propagate Knowledge, Righteousness, Charity, and all the Virtues of private and publick Life. The Blessing of the Almighty God be with them. Jesus Christ succeed and prosper them. I say nothing Military is to attack Men to adhere to the Gospel of Christ and his Apostles, to argue for the Purity of Christian Manners and Charity, to introduce no new Terms of Salvation or Christian Communion, nor to trouble the Christian Church with unnecessary Subtleties and doubtful Questions, but rather to promote Concord, Peace, and Amity of civil Society, and by them under any pretence for Conscience sake, or for their different Opinions of Christian Worship; but to reform as much as possible Scandal to the Christian Religion.

Character I greatly reverence, and of the final Design of their Institution, would every Station and Station, and King, and they could really, and of more value,

TO THE

Moſt Reverend Father in GOD,

# JOHN,

## Lord Arch-Biſhop of *Canterbury*,

Primate and Metropolitan of all *ENGLAND*.

*May it pleaſe Your* GRACE;

THE Book which I now publiſh, and my Hiſtory of the Inquiſition prefixed to it, appeared to me worthy of Your Grace's Patronage, rather than any other Perſon's living, when I conſidered the Subject treated of in both of them, and that high Station, which in theſe moſt difficult Times You ſupport with the greateſt Honour and univerſal

verſal Applauſe of all good Men, for the common Advantage of the Reformed Churches.

The Book it ſelf contains the Sentences of the *Tholouſe* Inquiſition, pronounced during the Space of ſixteen Years, principally againſt the *Albigenſes* and *Valdenſes*, about the Beginning of the Fourteenth Century. In theſe Sentences there are not only many curious Things, which greatly illuſtrate the Hiſtories of thoſe Times, but the Inquiſition it ſelf, and the Method of its Procedure, is repreſented by about one hundred Sentences pronounced by it, and held up as it were in a Glaſs to be diſcerned by all: From hence, even the Papacy it ſelf, which principally is ſupported by Cruelty and Perſecution, may be more fully known. which, tho' covered with Sheeps Cloathing to deceive the Unwary, cheriſhes a Wolf in its Boſom. My Hiſtory of the Inquiſition gives Light to the Book of Sentences. My Deſign in it was to give a Repreſentation of that Tribunal, not in a falſe Diſguiſe, nor deform'd by unnatural and hideous Colours, but in living and genuine ones; I mean, to draw the Picture of that horrible Court, which makes its principal Boaſt of the Title of Sanctity, to the Life, not from the Writings of thoſe who ſeparate from the Church of *Rome*, but that there may be no Room for Calumny, from thoſe of the Popiſh Doctors, and even Inquiſitors themſelves; that hereby the vaſt Power granted to the Inquiſitors, the moſt cruel Laws of it, and the injuſt Method of Procedure, quite different from the Uſage of all other Courts, might appear to the whole World, and that hereby the Papacy it ſelf might be known to all Mankind to be what it really is. For indeed there is nothing that more evidently diſcovers its Nature, than that immenſe and ſupream Power, by which the Pope of

*Rome*, claiming to be the Vicar of Chriſt on Earth, makes himſelf the Judge of the Faith, and uſurps Dominion over the Conſciences of the Faithful. And of this the Office of the Inquiſition is the moſt abundant Proof. For here the Pope, as ſupream Legiſlator, makes Laws, by which he endeavours to bind, under the moſt ſevere Penalties, all who wear the Name of Chriſt, without excepting thoſe of the higheſt Rank, no not Princes and Kings, to obey and believe all Things, which are eſtabliſhed by the Canons of the Church of *Rome*. And as ſupream Judge of the Faith, he erects himſelf a Tribunal, from the Judgment of which none of the Faithful are exempted: He ſends his Inquiſitors into all Provinces and Countries, who, as Judges delegated by him, exerciſe Judgment in his Name, and make all Magiſtrates and Princes obedient to their Commands, as tho' they were the Commands of the Pope himſelf. And that it may appear that he ſets himſelf up as God, he endeavours to ſearch out the moſt concealed Things, and, as far as he can, the very Thoughts of the Heart. He commands the moſt private Affairs, tranſacted between the moſt intimate Friends, to be informed of to the Inquiſitors, if there appears to be the leaſt Suſpicion of a wavering Faith, under this moſt ſevere Threatning, that if any one doth not immediately diſcover what he hath heard and ſeen, he ſhall be eſteemed as an Accomplice in the Crime, and as an Hinderer of the holy Office of the Inquiſition; that by this Means, even from the ſmalleſt Proofs, he may form a Judgment of the very Thoughts, or by the moſt cruel Tortures draw out a Confeſſion of every Thing harbour'd in the Mind, or at leaſt puniſh the Action or Word that gave Occaſion to the Suſpicion. And that it may more evidently appear, that this Tribunal is

erected not for the Honour, but rather for the Reproach of Chriſt, he ordains thoſe Puniſhments, and exerciſes thoſe Judgments, not againſt the profane and impious Violaters of the Divine Laws, Thieves, Adulterers, Drunkards, Revilers, and the like, concerning whom the Scripture plainly pronounces, that they ſhall not inherit the Kingdom of Heaven; but againſt the Tranſgreſſors of his Laws, which, without any Foundation in the Word of God, he hath, by an inſolent Uſurpation of ſpiritual Power, laid on the Church of God, as a Yoke to diſtinguiſh all who are ſubject to him. So that if any one doth not obſerve the leaſt Ceremony he commands, or not believe what is ordered by him to be believed, altho' he is perſuaded by the clear Teſtimony of the Word of God, that he ought to act and believe otherwiſe, or gives the leaſt Proof of ſuch a Belief, he can't eſcape the cruel Hands of the Inquiſitors. So that by theſe Fruits 'tis evident, he prefers his own Commandments to the Divine.

On the other hand, all who deſire to preſerve the Purity and Liberty of the Goſpel, every where highly eſteem and honour Your Grace, who, as you preſide over the Church of *England* by far the moſt Eminent of all the Reformed Churches, are for this Reaſon, I had almoſt ſaid, their common Defender. You by Methods and Counſels, directly contrary to the Papal Tyranny, labour with great Succeſs to promote the Chriſtian Doctrine and Faith, and to bring Men into the Way of Salvation. For, not to mention Your Grace's chaſte and natural Eloquence in Preaching, ſo agreeable to the Holy Scriptures, the Strength and Force of Your Judgment in Arguing, Your Learning, not for Oſtentation, but Uſefulneſs, and thoſe other excellent Qualifications, which formerly drew the

Hopes

Hopes and Eyes of all good Men upon You, and for which You are now an Ornament to Your Profeſſion; the great Goodneſs of Your Mind, ſo highly becoming an Evangelical Paſtor, gives a happy Preſage to the Reformation, even now in Danger, and lately almoſt oppreſſed. For ſuch is the Integrity of Your Life, ſuch the Simplicity and Candor of your Behaviour, ſuch Your Charity and Benevolence to all, ſuch Your Wiſdom from long Experience, that You ſeem to have been choſen by Divine Providence, by Your Conduct to unite and ſtrengthen the reformed Churches, to heal their Differences, and to advance and defend the Goſpel Liberty and Chriſtian Religion againſt the Attempts and ſavage Cruelty of the Papiſts. For You not only approve, but are a Pattern of true Goſpel Charity. You oppoſe the Papal Tyranny and Barbarity, by Purity of Life and Gentleneſs of Diſpoſition, the very Methods by which Chriſtianity formerly overcame and deſtroyed Idolatry, and the Heathen Impiety and Tyranny, and by which it always will triumph over its Enemies. I could not therefore ſubmit this Work to any but Your Grace's Protection, and perſuade my ſelf You will with me judge it to be ſeaſonable; eſpecially in this State of Affairs, in which the Papacy is endeavouring, eſpecially in *England*, to erect it ſelf again, and uſurp the ſole Dominion; that in this Treatiſe all Men may ſee, as in a Glaſs, its living and genuine Repreſentation, and never ſuffer themſelves to be deceived by a falſe and diſguiſed Appearance, but acknowledge it to be what it really is, *viz.* an Aſſembly and Combination of cruel and bloody Men, who affect and uſurp, where-ever they can, a Dominion over Conſcience, and thus erect a Kingdom oppoſite

ſite to that of Chriſt's: That by this Means, they may, under Your Conduct and Government, as a truly ſpiritual Father, learn to abhor, and with all their Hearts, to deteſt that imperious Society, and oppoſe the Propagation of it, by Faith unfeigned, a Charity truly Chriſtian, and by Sanctity of Behaviour; and that they may alſo conſult the Safety of the reformed Church, and eſpecially learn from thence to abhor all Cruelty and Puniſhment towards Diſſenters and erroneous Perſons, in other Reſpects pious, as thoſe who know, that we muſt all give an Account of our Faith before the Tribunal of Chriſt, the ſupream Lawgiver and Judge, and that it is not lawful for any Men to give a Law to Conſciences, or preſcribe the Rules of Believing, becauſe this is in Reality to aſcend the Tribunal of Chriſt himſelf. Thus the Church will proſper and flouriſh under Your Grace's Care; Enmities, Hatred and Schiſms, which have miſerably divided it into Parties, will be deſtroyed; and if God, offended with us for our Sins, ſhall not vouchſafe to reſtore to us thoſe golden Ages of the primitive Church, in which all the Faithful were of one Heart and one Mind, yet that we may all at leaſt learn this from hence, not to rule over another's Conſcience, never to puniſh an erroneous Chriſtian for a mere harmleſs Miſtake, never to put to Death any one for an ingenuous Profeſſion of his Faith, of which he is ready to give an Account to God, but to refute their Errors by the Force of Reaſon, and the plain Teſtimony of Scripture, and in the mean while to wait with Gentleneſs and Patience for their Repentance, if peradventure God ſhould grant them to underſtand their Errors, and give them an Heart ſincerely to embrace the Truth.

May

May the God of Peace, who brought again from the Dead that great Shepherd of the Sheep, our Lord Jeſus Chriſt, by the Blood of the everlaſting Covenant, proſper all your moſt pious Endeavours for the Peace and Safety of the Church, and grant that You may happily reſtore it when fallen, and ſupport it when tottering, by the ſame Aids, with which it firſt grew, encreaſed, and was eſtabliſhed. Theſe are the ſincere and moſt affectionate Prayers of, may it pleaſe Your Grace,

*Your* GRACE's

*Moſt Humble and*

*Devoted Servant,*

Philip a Limborch.

Mr. *LIMBORCH's*

# PREFACE TO THE READER.

*WHEN first I determined to publish the Book of the Sentences of the* Tholouse *Inquisition, I had Reason to think that it would be the same with others, as I found it with my self,* viz. *that several Things in those Sentences would not be very clear, unless the Nature of the Inquisition, and Method of Proceeding in it, were, in some Measure, understood; and therefore, I intended, for the Reader's Advantage, to prefix to it a Dissertation concerning the Inquisition: But, as I turned over the Authors who treated of this Affair, I found such Plenty of Matter, that I laid by my first Design, and resolved to write an entire History of the Inquisition. Whether I have answered Expectation, the Reader must judge: I am sure I was not wanting in the desire to serve him. The History it self I have comprehended in Four Books; in which I have so fully explained every Thing relating to the Inquisition, and that could clear up the Books of Sentences, that I am perswaded the Reader will find no Obscurity left when he peruses them. He will perceive, by the Laws and Bulls every where published against Hereticks, why such a Punishment is inflicted upon each Person, and the Crimes objected to the Criminals, and why the Sentences are conceived in these and no other Words. And although*

*although the Punishments enjoyned Penitents, by way of wholesome Penances, are arbitrary, and left to the Pleasure of the Inquisitors, yet they are directed by some certain Laws and Customs; so that, upon hearing the Crimes read objected to any Criminal, it may, from thence, be easily gathered to what Penance he is to be condemned, according to the Laws and Customs received in the Inquisition.*

*I have not, through an Attachment to any Party, written any Thing contrary to Truth. I have made use of Popish Authors, yea, Inquisitors themselves, and Counsellors of the Inquisition, who are so far from having written any Thing untrue, out of Hatred to the Inquisition, that they every where cry up the Sanctity of it, and, without End or Measure, inculcate its vast Advantage to the Church of* Rome; *and therefore, whatever they write concerning the Inquisition, and Method of Proceeding before that Tribunal, I assured my self I might safely relate, without any Charge of Calumny on account of it. And, to cut off all Pretence for such a Charge, I thought proper to retain the very Words of the Popish Doctors, as they are extant in their own Books, without any Alteration, unless where, because of their Prolixness, I have abridged them; and, even then, I have made use of their own Words, as far as the Nature of an Abridgment would allow; so that he who reads my History, will read not so much my Words, as those of the Inquisitors themselves, and other Popish Doctors. I thought I should hereby greatly serve the Publick, by shewing what sort of Court that of the Inquisition is, the Papists and Inquisitors themselves being Witnesses. Amongst all the Authors I have quoted,* R. Gonsalvius Montanus *is the only one that was a Protestant; and, as far as I can gather from his Book, was one of those, who, about the Death of the Emperor* Charles V. *gathered a Church for worshipping God in a purer Manner at* Seville, *upon discovering the grievous Errors and Superstitions of the Church of* Rome, *which was afterwards dispersed by that most cruel Inquisition, of which there were held Acts of Faith at* Seville *and* Valladolid, An. 1559. *But I have scarce any Thing from him but what is affirmed by other Authors; he only supplies me with Instances fully to illustrate what others write concerning the Inquisition, the Laws of it, and Method of Proceeding. To him I may add* James Usher, *Archbishop of* Armagh, *from whose Treatise,* De Successione, *&c. I have borrowed some few Things. But, inasmuch as even these Things were taken from Popish Authors, of whom there are frequent*

* *

*Quota-*

*Quotations in that Treatiſe, what I have tranſcribed from thence, ought, in Juſtice, to have the ſame Authority with the Papiſts, as though I had quoted it from the very Authors, whoſe Words are made uſe of by that moſt learned Prelate.*

*The Reader may, perhaps, wonder at one Thing, that I have always called thoſe Hereticks that have been proceeded againſt by the Inquiſition: But, as I was relating the Popes Bulls, and the Decrees of Popiſh Councils, I could not help uſing the ſame Words I found in them. By an Heretick, therefore, I underſtand one condemned for Hereſy by the Church of* Rome. *I could not rehearſe their Decrees but in their own Words, and was therefore forced always to uſe them, unleſs I would have interrupted the Courſe of the Hiſtory, by repeated and innumerable Alterations, and thereby rendered it leſs pleaſing and acceptable. Let it therefore ſuffice, once for all, to ſay, that, by the Word* Heretick, *when I ever ſpeak of the Inquiſition againſt Hereticks, I do not mean one who is truly an Heretick, but accounted an Heretick by the Church of* Rome, *taking the Word in the Popiſh Senſe of it. In the mean while, thoſe who are Hereticks in their Account, are not ſo in mine; and I ſincerely believe, that thoſe which the Church of* Rome *hath condemned for Hereſy, have died, and gloriouſly endured the Puniſhment of Fire for the Teſtimony of Jeſus Chriſt, and the maintaining a good Conſcience. Theſe few Things I thought proper to adviſe my kind Reader of, and hope he will paſs a favourable Judgment.* Sep. 13. An. CIↃIↃCXCII.

# A CATALOGUE of the AUTHORS out of whoſe Writings the HISTORY of the INQUISITION is principally drawn.

DIrectorium Inquiſitorum Fr. Nicolai Eymerici Ord. Præd. cum Commentariis Franciſci Pegnæ J. V. D. Romæ in ædibus populi Romani. MDLXXXV. fol. Eymericus *was born at* Girona *in* Catalonia, *was a Predicant Monk, and flouriſhed in the Papacy of* Urban V. *and* Gregory XI. *and in the Reign of* Peter IV. *King of* Aragon. *He was made Inquiſitor General about the Year* 1358. *and ſucceeded* Nicholas Roſell. *He was made a Cardinal* An. 1356. *He died* Jan. 4, 1393. *having executed the Office of the Holy Inquiſition for forty four Years together.*

Pegna *was a* Spaniard, *of the Kingdom of* Aragon, *made Auditor of the* Roman *Rota, in the room of* Chriſtopher Robuſterius, Oct. 14, 1588. *He was advanced to the Deanery of the ſame Court* June 9, 1604. *in the room of Cardinal* Jerom Pamphilii, *and died in that Deanery* Aug. 21, 1612.

Franciſci Pegnæ Inſtructio, ſeu Praxis Inquiſitorum, cum annotationibus Cæſaris Carenæ. Lugduni 1669. poſt Carenæ tractatum de Officio SS. Inquiſitionis. fol.

Guidonis Fulcodii, quæſtiones quindecim ad Inquiſitores; cum annotationibus Cæſaris Carenæ, ibid. Fulcodius *was a Cardinal, and afterwards Pope, by the Name of* Clement IV.

Lucerna Inquiſitorum Fr. Bernardi Comenſis, cum annot. Franciſci Pegnæ, impreſſa Romæ cum licentiâ Superiorum, ex officina Bartholomæi Graſſi. 1584.

Jacobus Simancas de Catholicis Inſtitutionibus. Simancas *was Biſhop of* Badajox *in the Kingdom of* Portugal, *and Province of* Eſtremadura.

Joannes à Royas, de hæreticis eorumque impiâ intentione & credulitate. Royas *was a Licentiate of the Canon and Civil Law, Inquiſitor of heretical Pravity at* Valencia *in* Spain.

Zanchini Ugolini tractatus de hæreticis: cum Additionibus Fr. Camilli Campegii. Z. Ugolinus *was a Lawyer of* Rimini *in* Italy.

C. Campegius *was a Predicant Friar, and Inquiſitor General in all the Territories of* Ferrara.

Conradus Brunus de hæreticis & ſchiſmaticis, lib. 6.

Forma procedendi contra hæreticos, ſeu inquiſitos de hæreſi, & in cauſa hæreſis. Autor creditur Joannes Calderinus.

Hi quinque autores exſtant in Parte II. Tom. XI. tractatuum illuſtrium Juris conſultorum, quæ agit, de judiciis criminalibus S. Inquiſitionis.

Ludovicus à Paramo, de Origine & Progreſſu Officii Sanctæ Inquiſitionis, ejuſque dignitate & utilitate. Madriti, ex Typographiâ Regiâ. CIↃ IↃ XCIIX. fol. Ludovicus à Paramo *was Archdeacon and Canon of* Leon, *a City in* Spain, *and Inquiſitor of the Kingdom of* Sicily.

Antonii de Souſa, Aphoriſmi Inquiſitorum. Lugduni, apud Aniſſon. 1669. 8. Souſa *was a* Portugueſe *of* Lisbon, *a Predicant Friar, Maſter of Divinity, and Counſellor to the King and the Tribunal of the ſupream Holy Inquiſition.*

Cæſaris Carenæ, tractatus de Officio Sanctiſſimæ Inquiſitionis, & modo procedendi in cauſis fidei. Lugduni apud Aniſſon. 1669. fol. Carena, *D. D. was Auditor of Cardinal* Camporeus, *Judge Conſervator, Counſellor, and Advocate Fiſcal of the Holy Office.*

Reignaldi Gonſalvii Montani Sanctæ Inquiſitionis Hiſpanicæ artes aliquot detectæ ac palam traductæ. Heidelbergæ 1567. 8.

Pauli Servitæ Hiſtoria Inquiſitionis, præſertim prout in Dominio Veneto obſervatur.

Relation de l'Inquiſition de Goa. 12. à Paris 1687.

Memoires de la Cour d'Eſpagne. 12. à la Haye. 1691.

Abrahami Bzovii Annalium Eccleſiaſticorum Baronii Continuatio, Antwerpiæ 1617.

Annales Eccleſiaſtici ex Tomis octo ad unum pluribus auctum redacti: Autore Odorico Raynaldo. Romæ ex Typographia Vareſii. 1667. Raynaldus *was of* Treviſo, *Presbyter of the Congregation of the Oratory.*

Compendium Bullarii Flavii Cherubini. Lugduni apud Laurentium Durand, 1624. 4.

Lucæ Waddingi Annales Minorum, in quibus res omnes trium Ordinum Franciſcanorum tractantur. Lugduni 1625. fol.

Jacobi Auguſti Thuani Hiſtoria ſui temporis.

Jacobus Uſſerius Archiepiſcopus Armachanus de Succeſſione Eccleſiarum in Occidentis præſertim partibus.

Liber Sententiarum Inquiſitionis Tholoſanæ.

Liber catenatus, MS. inter archiva Capituli S. Salvatoris, Trajecti ad Rhenum.

Gloſſarium ad Scriptores mediæ & infimæ Latinitatis, Caroli du Freſne Domini du Cange. Lutet. Paris. 1678. fol.

Dominici Macri Hierolexicon. Romæ 1677. fol.

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THE



# THE HISTORY OF THE INQUISITION.

## CHAP. I.

### *The Doctrine of* JESUS CHRIST *forbids Perſecution on the Account of* RELIGION.

ALTHOUGH the very Name of the INQUISITION was not ſo much as heard of in the Chriſtian Church, before the Thirteenth Century, yet having now ſpread it ſelf almoſt throughout the whole World, and become every where notorious; it is not to be wondered at, that there ſhould be a general Curioſity in Mankind of more thoroughly underſtanding it, and knowing by what Laws it is conducted, and what are the Methods of Proceeding therein. The Doctors of the *Romiſh Church* give it the higheſt Commendations, as the only and moſt certain Means of extirpating Hereſies, and an impregnable Support of the

Faith; not invented by human Wiſdom and Council, but given to Men by the immediate Influence of Heaven, whoſe Tribunal breathes nothing but Holineſs, and to which they give ſuch Titles as denote the moſt perfect Sanctity. The Inquiſition it ſelf is called the *Holy Office*; the Priſon of the Inquiſition the *Holy Houſe*, ſo that the very Name raiſes it Reſpect and Veneration: Yea, they go ſo far as to compare it with the Sun; and affirm, that as it would be accounted ridiculous to commend and extol the Sun, it would be equally ſo to pretend to praiſe the Inquiſition. The Proteſtants on the other hand repreſent it, not only as a cruel and bloody, but moſt unjuſt Tribunal; where, as the Laws by which other Tribunals are governed are diſregarded, ſo many Things, which every where elſe would be eſteemed Unrighteous, are commended as Holy. And they are ſo far from thinking that it is a proper Means of reſtraining or puniſhing the Guilty, (which is the principal Thing to be aim'd at by every Tribunal) that on the contrary, they believe it was invented for the Oppreſſion of Truth, and the Defence of Superſtition and Tyranny; where Perſons, let their Innocency appear as bright as the Sun at Noon-day, are treated as the moſt vile and perfidious Wretches, and cruelly put to Death by the ſevereſt Tortures. I therefore thought it might be of Service to the World, to deſcribe the Origine of this Tribunal; and againſt whom, and by what Methods they generally proceed in it. In order to this, it is neceſſary to look back, and deduce this whole Affair from the very Original.

The Chriſtian Religion, taught by the inſpired Apoſtles, made its Progreſs in the World, and ſhewed it ſelf to be of Divine Original by the Holineſs of its Precepts, the exceeding Greatneſs of its Promiſes, and the many Miracles wrought in Confirmation of it; and, at laſt, brought the whole World into its Obedience without the Aſſiſtance of Carnal Weapons, or Temporal Power. Our Lord himſelf expected only a voluntary Obedience from Mankind; as he required only to be worſhipped in Spirit, and commanded every one that would be his Diſciple to deny himſelf, which is the proper Work of the Mind and Soul, and cannot be effected by any external Violence whatſoever. Even God the Father himſelf heretofore, in order to repreſent the Nature of the Kingdom of his Son Jeſus Chriſt, ſhewed it to *Daniel* under the Figure of the Son of Man, whilſt the other Kingdoms of this World were denoted by the Images of wild Beaſts; for no other Cauſe undoubtedly, but to ſhew the different Nature of Chriſt's Kingdom from the Kingdoms of this World. Theſe are to be erected, enlarged, and preſerved by Violence and Arms, and Meaſures fierce and beſtial; his, by Mildneſs, Gentleneſs, and the Weight of Arguments, in order to convince, and not offer Force to the Mind. The Precepts of the Goſpel breathe nothing but Charity and Love: Our Lord calls Charity his New Commandment, by which he would have all Men know and diſtinguiſh his Diſciples. But there is nothing ſo oppoſite to Charity as the puniſhing an erroneous Perſon, who believes he promotes the Divine Glory by his Error; and in Defence of it, is ready to undergo the moſt cruel and ſhameful Death.

Our

Our Saviour ſent his Diſciples like Sheep into the midſt of Wolves, in order to bear Teſtimony to the Goſpel by their Patience under Sufferings, and hereby ſpread the divine Savour of it through the World. It was far from his Deſign, that like Wolves they ſhould tear and devour the Sheep; or that they ſhould violently compel thoſe by the Terrors of Torments and Death to embrace his Religion, whom they could not gain by the Force of Arguments: Beſides, all agree that Faith is the Gift of God, and therefore can never be produced by human Force; nor can God be prevailed on by external Violence to communicate this his excellent Gift. The Mind is to be convinced by Arguments; the Tongue and bodily Members may be forced by external Violence; but this can never extort from any one a real Belief of that to be true, which he is perſwaded in his Mind is falſe: So that nothing can be more directly oppoſite to the Genius of Chriſtianity, than to perſecute the Erroneous; to expoſe them under the infamous Name of Hereticks to the Fury of the Mob, and puniſh them with a cruel Death.

Nor are we to think, that theſe gentle Means of propagating Chriſtianity were proper only for the Time of its firſt Appearance, when the Church was deſtitute of the Civil Power; and by Reaſon of its Oppoſition to the prevailing Religions of the World, drew upon it ſelf the Anger and Fury of the Princes of it; but that the Caſe is now alter'd, ſince the Kings and Rulers, upon their Converſion to the Faith, are obliged to ſubject their Scepters to Jeſus Chriſt: For the Change of Fortune makes no Change in his Religion; nor can the Alteration of any worldly Affairs take away the Force and Obligation of his Commands; for Chriſt, by his Apoſtles, preached one Scheme of Doctrines to laſt for ever. 'Tis true, that Kings are to ſubmit their Scepters to Chriſt, not by forcing Men with Puniſhments, in Oppoſition to his Commands, to profeſs, contrary to their Conſcience and real Sentiments, what they believe to be falſe, and ſo to fill his Church with Hypocrites inſtead of true Believers; but by ordaining equal and juſt Laws, agreeable to the Goſpel Precepts, for the Preſervation of the Publick Tranquility; and that there may be nothing to obſtruct the true ſpiritual Worſhip of God, and the Salvation of Souls. This is that moſt harmleſs, and yet moſt powerful Method of propagating the Goſpel, agreeable to its Nature and Genius, by which in the Beginning, it was ſpread in a ſhort Time through the whole World, by a few weak and defenceleſs Perſons, inſtructed only by the Divine Spirit, through the Weight of its Arguments, and the Power of its Miracles; and by which it may be ſtill propagated, and preſerved pure and uncorrupt, againſt all the Attempts of Unbelievers and Hereticks: For our Lord did not furniſh his Diſciples with carnal Weapons to oppoſe the Frauds, Impoſtures, Violence and Perſecutions of the World, but with ſpiritual Weapons, which through God are powerful to bring every Imagination into Captivity to the Obedience of Chriſt, that they might triumph over the World in the midſt of Afflictions, by their Innocence, Simplicity, Fortitude and Patience. So far indeed was he from

ordaining Perſecutions, as the Puniſhment of Error, that he commands his Church, when ſuffering Perſecutions, to pray for thoſe that perſecute it. By this Means the Church in the Beginning was founded, and ſo wonderfully propagated throughout the whole World in its firſt and pureſt Ages.

## CHAP. II.

### *The Opinion of the* PRIMITIVE CHRISTIANS *concerning Perſecution.*

AGREEABLE to this Practice was the univerſal and conſtant Doctrine of theſe Times; for the primitive Chriſtians oppoſed with the greateſt Vigour, all Cruelty and Perſecution for the Sake of Religion. 'Tis true, indeed, that they condemned the Heathen for their Barbarities; and argued wholly for this, that Chriſtians ſhould have the free Exerciſe of their Religion granted them; but they us'd ſuch Arguments, and Topicks of Reaſoning, and even ſometimes when treating of different Subjects, expreſs'd themſelves in ſuch a manner, as plainly declares that they do equally condemn all Sort of Violence for the Sake of Religion, againſt all Perſons whatſoever. Thus *Tertullian*, in his Apology, *c.* 24. ſays: *Take heed that this be not made uſe of to the Praiſe of Impiety*, viz. *to take away from Men the Liberty of Religion, and forbid them the Choice of their Deity; ſo that it ſhould be criminal for them to worſhip whom they would, and they ſhould be compelled to worſhip whom they would not; no one would accept of an involuntary Service, no not a Man.* And in the 28th Chap. *It plainly appears unjuſt, that Men poſſeſſed of Liberty and Choice, ſhould be compelled againſt their Will to ſacrifice. For in other Caſes a willing Mind is required in the Performance of Divine Worſhip; and it may juſtly be accounted ridiculous to force any Perſon to honour the Gods, whom he ought willingly for his own Sake to endeavour to appeaſe.* And again, in his Book to *Scapula*, cap. 2. *Every one hath a natural Right and Power to worſhip according to his Perſwaſion, for no Man's Religion can be either hurtful or profitable to his Neighbour: Nor can it be a Part of Religion to compel Men to Religion, which ought to be voluntarily embraced, and not through Conſtraint; ſince 'tis expected, that even your Sacrifices ſhould be offered with a willing Mind; ſo that if you compel us to ſacrifice, think not to pleaſe your Gods; for unleſs they delight in Strife, they will not deſire unwilling Sacrifices: But God is not a Lover of Contention.* *Cyprian* alſo agrees with *Tertullian* his Maſter, in his 62d Letter to *Pomponius*, concerning Virgins, where, treating of the Excommunication of Offenders, he thus ſpeaks: *God commanded, that thoſe who would not obey his Prieſts, and thoſe Judges, which Time after Time he appointed, ſhould be ſlain. Such were cut off with the Sword during the Diſpenſation of the Circumciſion in the Fleſh. But now, ſince the ſpiritual Circumciſion takes Place in all the faithful Servants of God, the Proud and Obſtinate are to be ſlain with*

*with the ſpiritual Sword, by being caſt out of the Church.* And in his 51ſt Letter to *Maximus*, the Presbyter, diſputing againſt thoſe who ſeparated themſelves from the Church, he ſpeaks to them in this manner: *Since upon your Deliverance from Priſon, you became infected with an heretical and ſchiſmatical Opinion, ſo it was, that all your Glory remained in Priſon behind you; There you ſeemed to have left the Dignity of your Character, ſince you, the Soldiers of Chriſt, returned not to the Church when you came from your Impriſonment, who went into Impriſonment with the Commendation and Applauſes of the Church; for though there may be Tares in the Church, this ought to be no Obſtruction to our Faith and Charity; nor is their being in the Church any Reaſon for our Departure out of it: It ſhould be our Care that we be found the true Wheat, that when the Maſter ſhall gather it into his Granaries, we may reap the Fruit of our Work and Labour. The Apoſtle, in his Epiſtle to the* Corinthians, *ſays,* That in a large Houſe there are not only Veſſels of Gold and Silver, but of Wood and Earth, ſome to Honour, and ſome to Diſhonour. *Let us endeavour, as much as we can, to be found amongſt thoſe of Gold and Silver. 'Tis the ſole Prerogative of the Lord to break the Earthen ones, to whom the Iron Rod is committed. The Servant cannot be greater than his Lord; nor ſhould any one arrogate to himſelf what the Father hath committed to the Son only,* viz. *to winnow and purge the Flower, and ſeparate, by any human Judgment, the Chaff from the Wheat.* And in his 55th to *Cornelius: Nor let any one wonder that ſome ſhould forſake the Servant appointed over them, when the Diſciples left the Lord himſelf, though he wrought the greateſt Signs and Wonders; and proved by the Teſtimony of his Works, that he acted by the Power of his Father. And yet he did not reproach or grievouſly threaten them when they forſook him, but gently turned to his Apoſtles and ſaid,* What, and will you forſake me alſo? *Obſerving that ſacred Law, of every one's being left to his own Liberty and Will, and making for himſelf his own Choice, whether of Life or Death.* And a little after, to the ſame Purpoſe: *As for our part, moſt dear Brother, we are in Conſcience obliged to endeavour, that no one periſh from the Church through our Default; but if any one deſtroys himſelf, and will not repent and return to the Church, we who endeavoured their Salvation, ſhall be without Blame in the Day of Judgment; and they only remain in Puniſhment, who would not be healed by our ſalutary Admonitions.* And ſince from theſe Paſſages, it plainly appears, that *Cyprian* taught, that all Force in Matters of Religion, is contrary to the Nature of Chriſtianity; I cannot but take Notice of the Diſhoneſty of *Bellarmine*, who in his 3d Book of Controverſies, *c.* 21. brings in *Cyprian* as a Defender of the Murder of Hereticks; who *having in his Book concerning Martyrdom, cited that Paſſage out of* Deut. xiii. *That the falſe Prophet ſhall be ſlain, adds, If this was to be done under the Old Teſtament, much more under the New.* But if we look to the Words immediately following, we ſhall find that *Cyprian*'s Opinion was quite the reverſe: For theſe are the Words of *Cyprian*: *If before the coming of Chriſt, the Commands of worſhipping God, and forſaking Idols, were to be obſerved, how much rather are they to be obſerved ſince his Appearance? who not only exhorted us by Words, but by his own Actions; and who, after having endured all manner of Injuries and Reproaches, was crucified, that he might leave us an Example*

de Laicis.

how

*how to ſuffer and die. So that he hath no Excuſe who will not ſuffer on his own Account; for as he ſuffered for the Sins of all, how much more ought every one to ſuffer for his own Sins?* If this Paſſage be read entire, it will appear, how very falſly *Bellarmine* hath applied it to the Defence of the Murder of Hereticks, which was only intended as an Exhortation to the patient ſuffering of Martyrdom.

*Lactantius* defends the ſame Doctrine in a nobler and plainer manner, *lib.* 5. *c.* 20. *There is no need of Compulſion and Violence, becauſe Religion cannot be forced, and Men muſt be made willing, not by Stripes, but Arguments. Let them draw the Sword of their Reaſon: If their Reaſons are good, let them produce them; we are ready to hear, if they can teach; if they are ſilent, we cannot believe them: If they pretend to force us, we cannot yield to them: Let them imitate us, or fairly debate the Caſe with us. 'Tis not our manner, as they object, to entice Men; we teach, prove, and demonſtrate; no one is kept amongſt us againſt his Will; and he muſt be unacceptable to God, who wants Devotion and Faith; and yet none forſake us, being preſerved by the ſole Evidence and Force of Truth.* And a little after: *Let them learn from this what Difference there is between Truth and Falſhood; in that they, though boaſting of their Eloquence, cannot perſwade; yet Chriſtians, though unskilful and ignorant, can; for the Thing it ſelf, and Truth pleads in their behalf. To what Purpoſe then is their Rage, but to expoſe more that Folly which they ſtrive to conceal? Slaughter and Piety are quite oppoſite to each other; nor can Truth conſiſt with Violence, or Juſtice with Cruelty.* And a little after: *They are convinced that there is nothing more excellent than Religion, and therefore think that it ought to be defended with Force; but they are miſtaken both in the Nature of Religion, and in the proper Methods to ſupport it; for Religion is to be defended, not by Murder, but Perſwaſion; not by Cruelty, but Patience; not by Wickedneſs, but Faith. Thoſe are the Methods of bad Men, theſe of good; and 'tis neceſſary that a religious Man ſhould be good, and not evil; for if you attempt to defend Religion by Blood and Torments, and Evil, this is not to defend, but to violate and pollute it: For there is nothing ſhould be more free than the Choice of our Religion, in which, if the Conſent of the Worſhipper be wanting, it becomes entirely void and ineffectual. The true Way therefore of defending Religion is by Faith, a patient Suffering, and Dying for it: This renders it acceptable to God, and ſtrengthens its Authority and Influence.* This was that moſt harmleſs Perſwaſion of the Primitive Chriſtians, before the World had yet entered into the Church, and by its Pomp and Pride had perverted the Minds, and corrupted the Manners of its Profeſſors.

CHAP.

## CHAP. III.

### *The Laws of the* EMPERORS, *after the* Nicene Council, *againſt the* Arians *and other Hereticks.*

AFTER the Converſion of *Conſtantine* to the Chriſtian Religion, the Civil Power became veſted in the Hands of Chriſtians. This Change in their Circumſtances produced as great a Change in their Doctrine and Manners; and the degenerate Poſterity, deviating from the Example of their Anceſtors, introduced into the Church Methods of Cruelty, not only equal to thoſe of the Heathen, but even greater than were ever practiſed by them. What gave the firſt Riſe to it was, the Diſpute between *Alexander*, Biſhop of *Alexandria*, and *Arius*, a Presbyter of the ſame Church: When the News of this was brought to *Conſtantine*, he firſt by Letters ſharply reproved them both: *Alexander* for being needleſly inquiſitive, and *Arius* for his imprudent Anſwers, *about an unneceſſary Queſtion, which aroſe from their want of being better employ'd, and a contentious and factious Spirit*; and ſeriouſly exhorts them to mutual Peace in theſe Words amongſt others: *Since therefore the one hath been needleſly inquiſitive, and the other as imprudent in his Anſwers, you ought mutually to pardon each other: And as you do not differ about any of the principal Requirements of the Chriſtian Law, nor pretend to introduce any new Opinion into the Worſhip of God, but are in theſe Things of one and the ſame Mind, you ought to maintain Communion with one another.* But afterwards, with the Perſwaſion of the Biſhops, or out of ſome political View, he called the *Nicene Council*, that by their Authority the Opinion of *Arius* might be condemned. *Euſebius*, who was preſent at that Council, was able to give the beſt Account of it; but he choſe rather that their Actions ſhould be for ever forgotten, and contented himſelf in a very few Words to declare the Iſſue of it: And if we add to the Account given by him, the ſomewhat larger one given by *Socrates*, it appears plain, that all who would not ſubſcribe to their Decrees, were condemned to Baniſhment, and there is no room to doubt, ſuch are the Frailties of human Nature, but that many through Fear were compelled to ſubſcribe. Some few indeed there were, who not at all terrified with the Fear of Baniſhment, went into Exile with *Arius*, whom the Synod had condemned, becauſe they would not conſent to his Condemnation. The Emperor himſelf put forth an Edict, by which he ordained, that all the Books written by *Arius* ſhould be burnt, *condemning to Death every one that ſhould conceal any of* Arius's *Books, and not commit them to the Flames.* He afterwards put forth a freſh Law againſt the Recuſants, by which he took from them their Places of Worſhip, and prohibited their Meeting not only in publick, but even in any private Houſes whatſoever.

*Euſeb.* in Life of *Conſtant.* l. 2. c. 69, 70. *Socrat.* l. 1. c. 7.

*Socrat.* l. 1. c. 9.

*Euſeb.* Life of *Conſtan.* l. 3. c. 65.

After they had thus proceeded to Methods of Severity, and civil Puniſhments were decreed againſt thoſe, whoſe Opinions the Council were pleaſed to

condemn, whom they expoſed under the infamous Name of Hereticks, and render'd odious to the People, their Cruelty was not ſatisfied with one Degree of Puniſhment only; they went from one to another, that ſo the Doctrine condemned by the Council might find none that ſhould dare to defend it, and ſo might at laſt be totally extirpated. From pecuniary Mulcts, they proceeded to the Forfeiture of Goods, Baniſhment, and at length to Slaughter and Blood; for ſuch is the Nature of Cruelty, that it ſeldom confines it ſelf to the firſt Beginnings; but when it is once let looſe, like an impetuous Torrent, it ſpeads it ſelf every where, and from every Occaſion grows more outragious and furious. This will appear moſt plainly in the Account I am now giving of the Methods for the Reſtraining and Puniſhment of Hereticks.

For in the firſt Place, Laws were made againſt Hereticks, whereby they were prohibited from having Churches, holding Aſſemblies, the enjoying any Eccleſiaſtical Preferments, the Conſecration of Biſhops, the Ordination of Prieſts, the making of Wills, the ſucceeding to Inheritances, the ſharing in any Charities, the Advancement to publick Offices, and ordaining ſevere Puniſhments againſt thoſe who did not obſerve theſe Preſcriptions.

*L. Omnes, c. de Hæret.* And firſt, it was determined who ſhould be accounted Hereticks. *They are comprehended under the Name of Hereticks, and are adjudged to the Puniſhments pronounced againſt ſuch, who ſhall be diſcovered to differ, even in the leaſt Point, from the Judgment and Practice of the Catholick Religion.* By the ſame Law it is ordained, *That no one ſhould dare, either to teach or learn thoſe Things that ſhall have been decreed to be profane.* By the Law following, their Churches are taken from them, and they are prohibited to perform Holy Offices, either in private Houſes or Churches, under the Forfeiture of one hundred Pounds of Gold upon all Contraveners. The following Law is yet more ſevere, which takes from them the Power of Giving, Buying, Selling, making Contracts or Wills, or inheriting their Parents Eſtates, unleſs they renounce their heretical Pravity. There are many Laws extant concerning the Baniſhment of Hereticks. *Theodoſius* II. and *Valentinian* III. counting up thirty-two Sects, and their Followers, decree, *Let not theſe and the* Manicheans, *who are ariſen to the Height of Impiety, have the Liberty of dwelling any where within the Dominions of the* Roman *Empire: Let the* Manicheans *be expelled from every City, and puniſhed with Death; for they are not to be ſuffered to have any Dwelling on the Earth, leſt they ſhould infect the very Elements themſelves.*

*Cunctí.*

*Mani-chæos.*

*L. Ariani, c. de Hæret.*

See alſo *L. Quicunque*, where the forementioned Penalties are not only repeated, but other kinds of Puniſhments ordained againſt them; which are all extant in the Law of the Emperor *Martian*, who renews the Puniſhments ordained by the preceding Emperors againſt the *Eutichians*, and which is recorded at the End of the Council of *Chalcedon*, and which will ſuffice inſtead of all other Inſtances. By this Law the Emperor ordained, *That they ſhould not have Power of diſpoſing their Eſtates, and making a Will, nor of inheriting what others ſhould leave them by Will. Neither let them receive Advantage by any Deed of Gift, but let whatſoever is given them, either by the Bounty of the Living, or the Will of*

*the Dead, be immediately forfeited to our Treasury; nor let them have the Power, by any Title or Deed of Gift, to transfer any Part of their own Estates to others. Neither shall it be lawful for them to have or ordain Bishops or Presbyters, or any other of the Clergy whatsoever; as knowing that the* Eutychians *and* Apollinarists, *who shall presume to confer the Names of Bishop or Presbyter, or any other sacred Office upon any one, as well as those who shall dare to retain them, shall be condemned to Banishment, and the Forfeiture of their Goods. And as to those who have been formerly Ministers in the Catholick Church, or Monks of the orthodox Faith, and forsaking the true and orthodox Worship of the Almighty God, have or shall embrace the Heresies and abominable Opinions of* Apollinarius *or* Eutyches, *let them be subject to all the Penalties ordained by this, or any foregoing Laws whatsoever against Hereticks, and banished from the* Roman *Dominions, according as former Laws have decreed against the* Manicheans. *Farther, let not any of the* Apollinarists, *or* Eutychians, *build Churches or Monasteries, or have Assemblies and Conventicles either by Day or Night; nor let the Followers of this accursed Sect meet in any one's House or Tenement, or in a Monastery, nor in any other Place whatsoever: But if they do, and it shall appear to be with the Consent of the Owners of such Places, after a due Examination, let such Place or Tenement in which they meet be immediately forfeited to us; or if it be a Monastery, let it be given to the orthodox Church of that City in whose Territory it is. But if so be they hold these unlawful Assemblies and Conventicles without the Knowledge of the Owner, but with the Privity of him who receives the Rents of it, the Tenant, Agent, or Steward of the Estate, let such Tenant, Agent, or Steward, or whoever shall receive them into any House or Tenement, or Monastery, and suffer them to hold such unlawful Assemblies and Conventicles, if he be of low and mean Condition, be publickly bastinado'd as a Punishment to himself, and as a Warning to others; but if they are Persons of Repute, let them forfeit ten Pounds of Gold to our Treasury. Farther, let no* Apollinarist *or* Eutychian *ever hope for any military Preferment, except to be listed in the Foot Soldiers, or Garrisons: But if any of them shall be found in any other military Service, let them be immediately broke, and forbid all Access to the Palace, and not suffered to dwell in any other City, Town or Country, but that wherein they were born.*

*But if any of them are born in this august City, let them be banished from this most sacred Society, and from every Metropolitan City of our Provinces. Farther, let no* Apollinarist, *or* Eutychian, *have the Power of calling Assemblies, publick or private, or gathering together any Companies, or disputing in any heretical manner; or of defending their perverse and wicked Opinions; nor let it be lawful for any one to speak or write, or publish any thing of their own, or the Writings of any others, contrary to the Decrees of the venerable Synod of* Chalcedon. *Let no one have any such Books, nor dare to keep any of the impious Performances of such Writers. And if any are found guilty of these Crimes, let them be condemned to perpetual Banishment; and as for those, who through a Desire of Learning, shall hear others disputing of this wretched Heresy, 'tis our Pleasure that they forfeit ten Pounds of Gold to our Treasury, and let the Teacher of these unlawful Tenets be punished with Death. Let all such Books and Papers as contain any of the damnable Opinions*

*of* Eutyches, *or* Apollinarius, *be burnt, that all the Remains of their impious Perverſeneſs may periſh with the Flames; for 'tis but juſt that there ſhould be a proportionable Puniſhment to deter Men from theſe moſt outragious Impieties. And let all the Governors of our Provinces, and their Deputies, and the Magiſtrates of our Cities, know, that if, through Neglect or Preſumption, they ſhall ſuffer any Part of this moſt religious Edict to be violated, they ſhall be condemned to a Fine of ten Pounds of Gold, to be paid into our Treaſury; and ſhall incur the farther Penalty of being declared infamous.*

Given at *Conſtantinople*, in the Ides of *Auguſt*, and the Conſulate of *Conſtantius* and *Rufus*.

At the ſame Time that they publiſhed theſe cruel Laws, the Authors of them would fain be thought to offer no Violence to Conſcience. This ſame Emperor *Martian*, in another Epiſtle to the *Archimandrites* of *Jeruſalem*, at the End of the Acts of the Synod of *Chalcedon*, ſays, *Such therefore is our Clemency, that we uſe no Force with any one, to compel him to ſubſcribe or agree with us, if he be unwilling: For we would not by Terrors and Violence drive Men even into the Paths of Truth.* Who would not wonder that they ſhould thus ſeek to colour over their Cruelties? A Doctrine is forbidden to be learnt or taught, under the ſevereſt Penalties, which thoſe ought to think themſelves obliged to profeſs, who are perſwaded of the Truth of it; and thoſe who do profeſs it, are for that Reaſon expoſed to many Puniſhments; and yet the Authors of ſuch Puniſhments would ſtill be thought to offer no Violence to Conſcience. But I would fain know, for what End are all theſe Penalties againſt Hereticks ordained? For no other ſurely, but that Men may be deterred by the Fear of them from meeting together, and openly profeſſing themſelves, or teaching others thoſe Doctrines, which they think themſelves obliged in Conſcience both to profeſs and propagate; and that being at length quite tired out by theſe Evils, they may join themſelves to the eſtabliſhed Churches, and at leaſt profeſs to believe their received Opinions. But this is to offer Violence to Conſcience, or to force Men, by the Fear of Puniſhments, not to profeſs what they believe, or to pretend to believe what they do not; neither of which can be done, but in Oppoſition to the Voice and Dictates of Conſcience.

*Simanc.* Tit. 46. §. 48.

The Conſtitution of *Theodoſius* was in much ſeverer Terms, which is extant in the Code of *Theodoſius*, *tit. de Judæis*, *l.* 1. *&* *lib.* 16. *tit.* 6. *l.* 75. in which we read thus: *Farther, we ordain, that whoſoever ſhall perſwade or force a Slave, or Freeman, to forſake the Worſhip of the Chriſtian Religion, and join himſelf to any accurſed Sect or Rite, let him be puniſhed with the Loſs of Fortune and Life.* And a little after: *Let him firſt incur the Forfeiture of his Goods, and afterwards be condemned to the Loſs of Life, who by falſe Doctrine ſhall pervert any one from the Faith.* This Law ſo pleaſes *Simanca*, that he congratulates himſelf on its being made by an Emperor that was a *Spaniard*; for after having recited

recited it, he adds: *A Law truly worthy of an Emperor that was a* Spaniard, as though it was the Glory of *Spain* to exceed all Nations in Cruelty, and its Honour, even in former Ages, to have been as remarkable for uſing ſeverer Methods of Puniſhments in this World to miſerable Hereticks than others, as they now are for the Barbarities practiſed by the bloody Tribunal of the Inquiſition. The Emperors *Honorius* and *Theodoſius* alſo, *Cod. Ne Sanct. Baptiſma iteretur, l.* 2. thus command: *If any one ſhall be diſcovered to have rebaptized any of the Miniſters of the Catholick Party, let him be put to Death, both the Perſon guilty of this execrable Impiety (if he be of an Age capable of Guilt) and the Party ſeduced by him.*

And that there might be no Remains of the Opinions condemned by the Synod, and to prevent their being tranſmitted to Poſterity; it was prohibited by the ſevereſt Laws, either to keep or tranſcribe any of their Books. We have ſeen before the Law of *Conſtantine*, againſt all who ſhould conceal any of *Arius*'s Books; and another Edict of *Martian*, againſt the Books of *Eutyches*. *Theodoſius* publiſhed ſuch another Law againſt the Books of *Neſtorius*, after he had been condemned in the Council of *Epheſus*, *l. Damnato, c. de Hæreticis*: *Let not any one dare to keep, or read, or tranſcribe the impious Books of the accurſed and execrable* Neſtorius, *written againſt the venerable orthodox Party, and the Decrees of the moſt holy Council of Prelates at* Epheſus; *and we ordain that they be diligently ſought after, and publickly burnt. Juſtinian* alſo forbids the tranſcribing any heretical Books, under the Penalty of having the Hand cut off. For after that *Anthimus* had been condemned in the fifth Synod, he made this Law againſt his Books. Novel 42. *cap.* 1. *We prohibit all to keep any of his Books: And as it is not lawful for any one to write, or have in his Poſſeſſion the Books of* Neſtorius, *according as the Emperors, our Predeceſſors, have thought fit in their Conſtitutions to ordain, with reſpect to the Sayings and Writings of* Porphyry *againſt Chriſtianity; ſo let nothing ſaid or written by* Severus *remain in the Poſſeſſion of any Chriſtian; but let them be abhorred as profane by the Catholick Church, and burnt by thoſe that have them, unleſs they are willing to ſuffer the appointed Penalty. Let them not therefore be tranſcribed by the Notaries of any Sort, as knowing that the Puniſhment of thoſe who ſhall write any of his Books, ſhall be the Loſs of their Hand.* From theſe ſeveral Laws, *Conrad Brunus* infers, that the Schools of Hereticks are to be deſtroyed thus: "The Schools of Hereticks *Brun. l. 6. c. 5. §. 27, &c.*
" are to be deſtroyed by theſe Means. Heretical Maſters muſt be removed,
" the Scholars muſt be prohibited from coming to their Schools, the Places
" they uſe to meet in muſt be appropriated to Eccleſiaſtical Purpoſes. The
" Maſters are to be removed by being publickly put to Death; the Pu-
" niſhment ordained againſt Hereticks, who ſhall dare to teach unlawful Opi-
" nions, as *Valentinian* and *Martian* have enacted, *l. Quicunque, c. de Hæret.*
" The Scholars are to be prohibited from going to heretical Schools by a pe-
" cuniary Mulct, *viz.* under the Forfeiture of ten Pounds of Gold, according
" to the Conſtitution of the Emperor *Martian, d. l. Quicunque*, §. *Eos vero,*
" *c. de Hæret.* And in general, the Houſes where heretical Aſſemblies and
" Conventicles are held, are to be forfeited to the King or Church; but

" thoſe eſpecially wherein their Errors and Hereſies are taught; according " to the Conſtitution of *Juſtinian* againſt *Anthimus*, *&c. Interdicimus autem*, *&c.* Thus did the Chriſtians imitate the Heathen Cruelty, by perſecuting thoſe that differed from them, and followed the Example of *Julian*, in deſtroying their Schools, which the Heathens themſelves condemned as barbarous and cruel: For thus *Ammianus Marcellinus* declares, b. 25. *His Laws, abſolutely commanding ſome Things to be done, and forbidding others, were generally good, ſome few excepted; among which was that cruel one, by which he prohibited the Chriſtian Maſters of Rhetorick and Grammar to teach, to prevent any from forſaking the Worſhip of the Gods:* But in Proceſs of Time, under the Government of the Popes, the Edicts of the Chriſtians vaſtly exceeded this Cruelty of *Julian*.

'Tis true, theſe were Laws made by the Civil Magiſtrate, but that they were publiſhed with the Approbation of the Biſhops, no one can doubt, who compares our Times with the Antient. The Biſhops could not bear that their Decrees and Anathemas ſhould be ſlighted as inſignificant and harmleſs Flaſhes. They would fain have all condemned by their Sentence appear to others to be juſtly condemned; and eagerly thirſted after the Mitres and Churches of thoſe, whoſe Doctrines they were pleaſed to anathematize; and therefore, in order to get Poſſeſſion of them, it was found neceſſary to arm the ſecular Power, and to enact civil Laws againſt them, that hereby they might ſtrip them of their Dignities, and drive them into Baniſhment, in order to enter on their vacant Sees. Nor let any one imagine, that the ancient Times were more holy than ours; the ſame worldly Spirit that now influences our Synods, governed the Councils of the ancient Biſhops: Even the Council of *Nice*, ſo much celebrated and extolled, is an abundant Proof of this. Such was the fierce and reſtleſs Spirit of the Biſhops there met together; ſo many and bitter their Contentions, that, forgetting the principal Cauſe of their meeting together, they meanly preſented Accuſations againſt each other to the Emperor, who, that he might put an End to their Quarrels, ordered the Accuſations to be burnt; and commanded them that they ſhould immediately go upon the Buſineſs for which they had been aſſembled. Who can believe, that an Aſſembly of Men, inflamed with Paſſion and mutual Hatred, and breathing nothing but Revenge, would reſt contented, with having procured the Condemnation only of their hated Enemies, and not rather uſe their utmoſt Endeavours to excite the Emperor to baniſh thoſe whom they had condemned?

*Hiſt. Ec.* l. 7. c. 3. But not to rely on Conjectures, *Socrates* expreſly tells us: " That *Theodoſius* " Biſhop of *Synada* in the greater *Phrygia*, cruelly perſecuted the Hereticks " of the *Macedonian* Sect, of which there was a great Number in that " City; driving them not only from the City, but from the very Country " alſo; *not according to the Cuſtom of the orthodox Church, which uſes no Methods of Perſecution*, nor thro' Zeal for the true Faith; but from a covetous " Deſire of enriching himſelf with the Spoils of the Hereticks. To this End " he left no Means untried to ruin the Followers of *Macedonius*, arming his " Clergy, and perſecuting them by innumerable ſubtle Methods, and Tricks " of Law. But his Malice was principally levelled againſt their Biſhop *Aga-*

" *petus*,

" *petus*, whom he tired out with repeated Injuries. And becauſe he did not " think the Governors of the Provinces ſufficient for the Puniſhment of Here- " ticks, he went to *Conſtantinople* to ſolicite new Edicts from the Magiſtrates.

Nor were the Biſhops of *Rome* afraid to implore the Aſſiſtance of the Empe- *Simanca*, rors againſt Hereticks. Pope *Anaſtaſius* perſwaded the Judges to condemn the *tit.* 49. *Manicheans* to perpetual Baniſhment, whom he could not bring over to the §. 14. Catholick Faith; leſt by their Contagion they ſhould infect the holy Flock. And *Leo* the Great, writing to *Leo* the Emperor, ſays: *That the perverſe and enſnaring Diſputations of the Hereticks would ſoon come to an End, if put under Reſtraint by the Imperial Power.* And in his 43d Epiſtle to the ſame Prince: *Vouchſafe, by your Regard for the Faith, to yield this Remedy to the Church; that Hereticks may not only be kept out of all holy Orders, but even expelled from every City, that the holy People of God may be in no farther Danger of Infection from theſe wicked Men.* And in his 45th Epiſtle, he exhorts the Empreſs *Pulcheria*, *That ſhe would baniſh* Eutyches *further from* Conſtantinople, *that he might receive no Comfort from thoſe whom he had drawn over to his Impiety.*

But further, when they had got into Poſſeſſion of the ſupreme Power in *Rome*, they were oftentimes the Authors of Perſecution themſelves. Pope *Celeſtine*, as *Socrates* relates in his Eccleſiaſtical Hiſtory, *b.* 7. *c.* 11. " took " from the *Novatians* their Churches in *Rome*, ſo that *Ruſticula*, their Biſhop, " was forced to meet his Flock in private Houſes: For till this Time the " *Novatians* flouriſhed in *Rome*, were in Poſſeſſion of many Churches, and " had large Congregations to fill them; but they fell a Sacrifice to Envy, " becauſe, *The Biſhops both of* Rome *and* Alexandria *had uſurped a tyrannical* (N. P.) " *Power, exceeding all the Bounds of the Prieſthood.* For this Reaſon, the Biſhops " of *Rome* did not permit even thoſe who agreed with themſelves in Opi- " nion, to hold free and open Aſſemblies; but though they praiſed them for " their Agreement with them in the Faith, yet deprived them of all their " Subſtance. But the Biſhops of *Conſtantinople* were however free from this " wicked Spirit; for they not only ſuffered the *Novatians* to meet within the " City, but even bore them a very ſincere Affection." But the Biſhops of *Rome*, even when they had no Power at *Conſtantinople*, yet by their perpetual Solicitations of the Emperors there, at laſt extorted from them the Oppreſſion of Hereticks. Whilſt *Juſtinian* was Emperor, the Followers of *Anthimus* and *Severus* held their publick Aſſemblies, although they had been condemned and excommunicated by the Pope of *Rome*. Wherefore the Biſhops of the *Second Syria*, and the *Archimandrites* and *Monks*, ſent Letters to *Agapetus*, Biſhop of *Rome*, then at *Conſtantinople*, in which they beſought him to deliver them from Hereticks. The Biſhops thus: *Take from us ſpeedily theſe evil Men, and offer up this acceptable Sacrifice to God and our Saviour, that we may have a good Account to give in the future awful Judgment. Preſerve the Eccleſiaſtical Dignity free from all Fear, and the thrice repeated heretical Diſturbance; eſtabliſh our Order; and put our moſt juſt Emperor in Mind of thoſe many and righteous Sentences that were firſt pronounced from the Apoſtolick Chair; ordaining, that thoſe who had their impious Writings ſhould deliver them up, and commit them to the Flames,*

*in*

*in Imitation of thoſe who were inflamed with Zeal to deſtroy the Writings of the* Manicheans, *and thoſe of the impious* Neſtorius, *and the hardned* Eutyches, *and* Dioſcorus *their Father and Protector: So will you deprive of all Hope thoſe who vainly truſt in them. We therefore pray, moſt holy Father, that you would put in Execution that Sentence againſt* Anthimus, *which is both God's and yours, that ſo all Offence may be removed from theſe little ones, that believe in the Lord, and from us all.* The Monks alſo making the ſame Requeſt, in the Concluſion give this Reaſon for it: *For this Cauſe we have ſent unto you to* Rome, *and have promiſed and even undertaken for your deſired Return. We have received theſe Promiſes from the moſt pious Emperor, that what you ſhall canonically pronounce, he will piouſly execute, that all the World may be delivered from this preſent Diſturbance by them. Agapetus* had paſſed his Sentence before this Requeſt of the Biſhops and Monks, and condemned *Anthimus*, and pronounced, that as he had been expelled from the Biſhoprick of *Conſtantinople* before, ſo he ſhould now be baniſhed from that of *Trapezuntium*, and degraded from every prieſtly Office and Function. *But no ſooner had he received theſe Letters of the Biſhops and Monks, but he ſent to* Juſtinian *the Emperor, that he would baniſh thoſe whom he had condemned for Hereticks. Baronius* adds, *When he had done theſe Things, and thus performed all the Duties of his Office, the moſt holy* Agapetus *died, in order to receive his Reward now his Work was done:* As though it was ſuch an heroick Action, to conclude his Life with exciting the Emperor to perſecute thoſe whom he had condemned for Hereticks, as merited the Reward of eternal Salvation. After the Death of *Agapetus*, the Monks renewed their bloody Petitions to the Emperor, and beſeech'd him that he would baniſh thoſe whom *Anacletus* had condemned as Hereticks: *For*, ſay they, *there is Reaſon to fear, moſt pious Emperor, leſt for our long Delay, that of the People of* Iſrael *ſhould happen to us, who have amongſt us Men accurſed from the Prieſthood; who (becauſe they had in the Midſt of them* Achan *and* Jonathan, *who expoſed themſelves to a Curſe, the one wilfully, the other through Ignorance) were in Danger of being entirely deſtroyed, though they knew not that they had the accurſed Thing amongſt them. Deſpiſe not therefore, O ye moſt Chriſtian Emperors, ſo great an Evil, but be filled with Zeal to promote the Knowledge of God and his Intereſt, fulfilling what is written:* A wiſe King ſcattereth the Wicked; *that with* David *and* Joſias, *and* Elias *and* Agapetus, *who were inſpired with the nobleſt Zeal for God, you may have a Part in this World as they had, and bring all your Enemies under your Footſtool; and that he may grant you hereafter, with them, an eternal Kingdom, who hath promiſed, that he will give an hundred fold here, and hereafter Life eternal.* Not long after, *Anthimus* and his Followers were condemned by the Council of *Conſtantinople*, through the Intrigues of the *Roman* Legates; and many Petitions were offered to the Emperor for the Baniſhment of thoſe the Synod had condemned as Hereticks; ſo that by the curſed Solicitations of the Eccleſiaſticks, he was even forced to conſent to their Perſecution.

It muſt however be owned, that ſome of the Biſhops were Enemies to Perſecution; and being of more moderate Sentiments, blamed thoſe who defended and encouraged it. *Sulpitius Severus* tells us: *That* Idacius *and* Ithacius *fooliſhly*

*applied themſelves to the ſecular Powers, that by their Sentence and Authority they would baniſh the Hereticks from Cities*, viz. Inſtantius *and* Salvianus, Helpidius *and* Priſcillianus. And when afterward *Priſcillianus* appealed from the Synod of *Burdeaux* to the Emperor, the Biſhops *Idacius* and *Ithacius* followed him as his Accuſers: *But* Martin, *then Biſhop of* Treves, *was continually ſoliciting* Ithacius *to deſiſt from his Accuſation; and prayed* Maximus *that he would abſtain from the Blood of thoſe unhappy Men; that it was more than ſufficient, that they were adjudged Hereticks, and expelled the Churches by the Epiſcopal Sentence; and that it was a new and unheard-of Impiety, that the Civil Power ſhould judge in the Affairs of the Church.* And the Interceſſion of *Martin* prevailed ſo far, *that whilſt he continued at* Treves *all Proceſs was ſtopped; and when he was about to go from thence, by a peculiar Influence, he obtained a Promiſe from* Maximus, *that nothing cruel ſhould be inflicted upon the Accuſed*; although, after his Departure, *Priſcillianus* was condemned to Death. The Reaſon aſſigned by *Bellarmine*, that theſe Biſhops were cenſured, *viz. becauſe they brought an Eccleſiaſtical Affair before the Emperor, and became Accuſers in a Cauſe of Blood*, is very frivolous. 'Tis true, that *Martin* blames *Ithacius* that he accuſed *Priſcillian* before the Emperor's Tribunal; and that, as *Sulpicius Severus* teſtifies, not ſo much from his Hatred of Hereſy, as from a Deſire of Revenge; and therefore *Martin* adds, that it was a new and unheard-of Impiety, that the ſecular Power ſhould judge an Eccleſiaſtical Cauſe. But by this *Martin* plainly ſhows, that ſecular Puniſhments ought never to be inflicted on religious Accounts, becauſe Matters of Faith do not come under the Cognizance of the ſecular Tribunal; and that the Progreſs of Hereſy neither can nor ought to be prevented by the Blood of Hereticks; and therefore he obtained a Promiſe from *Maximus* that nothing cruel ſhould be inflicted on the Accuſed. We acknowledge with *Bellarmine*, that a Biſhop ought not to be an Accuſer in the Cauſe of Blood; but at the ſame Time, cannot imagine, with what Juſtice a Biſhop, who ought not to act the Part of an Accuſer, may not only excommunicate Hereticks, but, as *Bellarmine* contends, deliver them over to the ſecular Power, and even exhort the Judges to perform their Duty: For this is ſomething more than to act the Part of an Accuſer. An Accuſer only labours to prove the Crime, that when proved, the Judge may paſs Sentence on it; but when a Biſhop, by his own Sentence, pronounces any Perſon an Heretick, and delivers him over to the ſecular Arm, he lays the Judge under a Neceſſity of burning, without any farther Examination, the miſerable Heretick. And if, thro' Compaſſion, he ſeems willing to defer the Execution, the Biſhop exhorts, and even compels him, under the Penalty of Excommunication, to perform his Office. Who in ſuch a Caſe will clear the Biſhop from the Guilt of the Blood and Murder of the Heretick? Who doth not ſee that the Biſhop is the ſole Cauſe; and the Civil Magiſtrate, who in all Things blindly ſubmits to the Biſhop, is the Inſtrument only of the Heretick's Death; eſpecially as it is unlawful for him, under any Pretence, to refuſe Obedience to the Biſhop's Orders? If therefore 'tis unlawful for a Biſhop to turn Accuſer in a Caſe of Blood; much more unlawful is it for him to deliver thoſe he condemns as Hereticks

reticks to the ſecular Arm, and preſs the Civil Power to put their Sentence in Execution. But to return from this Digreſſion. *Martin* not content to blame *Ithacius*, after *Priſcillian* was put to Death, excommunicated him, and with him thoſe who were the Authors of his Murther. The Fear of this Excommunication ſaved many, that had been thrown into Priſon, from Death. The Emperor, who favoured *Ithacius* and *Urſatus*, oftentimes preſſed, and at laſt commanded *Martin* that he ſhould communicate with him; but could not prevail, till he had promiſed to recal the Tribunes that had been ſent into *Spain* to deſtroy the Churches: Nor could he be at laſt prevail'd with, notwithſtanding the vigorous Endeavours of the Biſhops, to ſubſcribe to his Conſent to communicate with him; ſo unjuſt did it ſeem to him to puniſh Men with Death for their Errors in Matters of Faith. Few indeed was the Number of theſe Biſhops, who had the Courage to oppoſe this perſecuting Spirit; and therefore, generally ſpeaking, the poor Hereticks were made to undergo all Sorts of the moſt cruel Puniſhments.

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## CHAP. IV.

### *The* ARIAN *Perſecutions of the* ORTHODOX.

BUT neither did the *Arians*, when they had an Emperor of their own Party, refrain from any Sort of Cruelty, but perſecuted thoſe, by whom they had been deprived, with a more implacable and bloody Hatred. The Perſecutions againſt *Athanaſius*, their principal Adverſary, are notorious to all. *Athanaſius* himſelf, in his Letter to the Hermits, gives us many Inſtances of their Cruelty, which is the Burthen of his Epiſtle; and aggravated as far as Words can do it, *viz.* That they ſcourged the Biſhops in *Egypt*, and bound them with cruel Chains; That they ſent *Sarapammo* into Baniſhment, and beat *Potammo* in ſo barbarous a manner on his Back, that he was left for dead, and died ſoon after of his Bruiſes and Pain; That they would not ſuffer a dead Woman to be buried; That they ejected many Biſhops from their Sees, and ſent them into Baniſhment; and that they obtained an Edict from the Emperor, that the Biſhops ſhould not only be baniſhed from the Cities and Churches, but even puniſhed with Death wherever they could be found. And he adds: *That ſo dreadfully were Men terrified by them, that ſome pretended to believe their Hereſies; and others through Fear choſe rather to fly into Deſarts than fall into their Hands.* In another Place he ſays: *How many Biſhops were brought before Governors and Kings, and heard this Sentence from their Judges:* EITHER SUBSCRIBE, OR DEPART FROM YOUR CHURCHES? *For the Emperor hath commanded you ſhould be baniſhed from your Churches. How many in every City ſcattered themſelves up and down for fear of being accuſed as the Biſhops Friends? For the Magiſtrates were written to, and commanded upon Penalty*

P. 817.
P. 821.
P. 829.

*Penalty of a Fine, to compel the Biſhops of their reſpective Cities to ſubſcribe. In fine, all Places and Cities were filled with Terrors and Tumults; for Violence was offered to the Biſhops, and the Judges ſaw the Mournings and Sighs of the People.* And at length, after a tragical Account of the various Cruelties and Perſecutions of the *Arians*, he adds: *That they would not ſuffer the Friends of thoſe they had ſlain, to bury their dead Bodies, but hid them in private Places, that hereby they might conceal their Murthers.* There are other Paſſages to the ſame Purpoſe in the ſame Epiſtle. P. 859.

In his firſt Apology alſo for his Flight, he ſpeaks to the ſame Purpoſe, and among other Things relates, that *Sebaſtianus*, Captain of the Forces, at the Inſtigation of *George* the Biſhop, *ordered Virgins to be brought to a flaming Pile, and violently compelled them by Fire to declare their Profeſſion of the* Arian *Faith; and when he perceived their Courage was not to be thus ſubdued, he ſtripped their Bodies naked, and ſo mangled their Faces with Blows, that it was a long while before their own Relations knew them again. He alſo apprehended forty Men, and miſerably tore their Bodies by a new Method of Cruelty; for he made Rods of the Palm Tree, retaining their Prickles, and with theſe beat them on their Backs, in ſuch a barbarous manner, that ſome, by Reaſon of the Prickles ſticking in their Fleſh, were forced ſeveral Times to apply to the Phyſicians for a Cure; whilſt others actually dy'd under the Torture. As for the others, as many as they apprehended, they baniſhed them, with the Virgins, into* Great Hoaſis, *a Country in* Egypt. P. 704.

And that they might have ſome Pretext to palliate their Perſecutions, *Victor*, in his Account of the Perſecutions of the *Vandals*, tells us, that the very Laws made by the Catholicks againſt heretical Impiety, were now turned, and executed upon the Catholicks themſelves; ſo that what they once ſuffered from the Catholicks, they made the Catholicks to ſuffer in their Turn, now they had got the ſecular Power on their Side. *Lib.* 2.

*Lucius*, an *Arian* Biſhop, beſides the Slaughters, Torments, Baniſhments, Hangings, Burnings, and other innumerable Cruelties he exerciſed on the Catholicks, laid waſte the Monaſteries and Caves of the Monks. Almoſt the ſame Things are related of *Severus*, Biſhop of *Antioch*. *Victor* in his firſt Book of the *Vandal* Perſecution, ſays, that being infected with the *Arian* Hereſy, they filled every Place with Fire and Slaughter, and burnt and demoliſhed the Churches, Temples, and Monaſteries; and tortured the Biſhops and Prieſts with various kinds of Cruelties, to force them to deliver up all the Gold and Silver they had of their own, or that belonged to their Churches; and if they gave them any, they put them to yet more exquiſite Tortures to force them to deliver up the whole, as imagining they had concealed a Part from them. They deprived the Catholicks up and down of their Churches, and commanded them to be ſhut up. The ſame *Victor* recounts the various Sorts of Cruelties wherewith the *Arians* perſecuted the Catholicks, *viz.* that in *Africa* they were, by the *Vandals*, firſt deprived of their Churches and Houſes, then driven without the City-Walls, without Creature, Weapon, or Clothes; and yet farther, by a publick Edict, it was commanded, *Brunus, l.* 2. *c.* 3. *c.* 6. §. 6. *c.* 28. §. 4, 5.

that no one ſhould entertain or feed them; and if any one out of Compaſſion did this, he was burnt, with his entire Family.

*c.* 8. §. 8. *Hunerick*, the *Arian* King of the *Vandals* in *Africa*, among other Cruelties he exerciſed on the Catholicks, threw an immenſe Multitude of them one upon another, like Heaps of Locuſts, into ſtrait and vile Places, where they had no Conveniency for eaſing Nature, but were forced to do it amongſt one another as they lay, ſo that the Stench and Terror exceeded all other kinds of Puniſhments. *Victor* relates theſe Things,, who himſelf was an Eye-witneſs to them.

§. 2. The ſame *Victor* relates other kinds of Cruelty practiſed by *Hunerick*; but it would be too tedious to recount them all. 'Tis enough to add, that ſome had their Tongues cut out, others their Hands, others their Feet chopt off; others their Eyes dug out, and others were miſerably ſlain through the Extremity of their Tortures. See alſo *Hiſt. Tripart*, *b.* 5. *c.* 32. and *b.* 4. *c.* 39.

*Auſtin* alſo, in his 50th Epiſtle to *Boniface*, and in his 68th Epiſtle, and in other Books which he wrote againſt the *Donatiſts*, recounts the various Cruelties of the *Donatiſts* and *Circumcellians*; ſo that the Chriſtians ſeemed only to be employed in mutual Butcherings of one another; and acted as though the whole Perfection of the Chriſtian Life conſiſted, not in the Holineſs of their Manners, but in a bitter and imprudent Zeal; ſo that *Ammianus Marcellinus*, an Heathen Writer, deſcribing thoſe Times, relates of *Julian* the Emperor, *b.* 22. *That he ordered the Chriſtian Biſhops and People that were at Variance with each other, to come into his Palace, and there admoniſhed them, that they ſhould every one profeſs his own Religion, without Hindrance or Fear, whilſt they did not diſturb the publick Peace by their Diviſions; which he did for this Reaſon, becauſe as he knew their Liberty would increaſe their Diviſions, he might now have nothing to fear from their being an united People; having found by Experience, that even Beaſts are not ſo cruel to Men, as the Generality of Chriſtians are to each other.*

The Eccleſiaſtical Doctors give very pathetick and odious Deſcriptions of the Perſecutions of the *Arians*. 'Tis abundantly plain from the Writings of the Orthodox, which now remain, that their Edicts were far from being vain and harmleſs Terrors. And if we now had the Writings of the *Arians*, we ſhould not probably find ſofter Things related by them of the Orthodox, than the Orthodox in their Writings relate of the *Arians:* But by reaſon of the ſevere Edicts againſt keeping their Books, their Works are entirely deſtroy'd; and we have now no Remains of the Hiſtory of thoſe Times but what we find in the Writings of the Orthodox. And though theſe were in ſome Reſpects great Men, yet their Actions and Writings abundantly teſtify, that they were far from being free from human Paſſions, Hatred, Anger, and the Study of Revenge; eſpecially when they had to do with their Adverſaries, and thoſe who differed from them in Matters of Religion. This hath been the Unhappineſs of all Times, that it is too generally true of Divines, what

*Tom.* 5. *p.* 65. *Eraſmus* with Grief declared of the Divines of his own, *That the Behaviour of*

*ſome*

*ſome of them is ſuch, that they have brought a Reproach on this moſt holy Study it ſelf, ſince thoſe who have attained to the Height of this Profeſſion, are ſometimes more fierce than the Laity, more ambitious, eaſier provok'd, more virulent with their Tongues, and more unfit for all manner of Converſe in Life, not only than unlearned Perſons, but than they themſelves would otherwiſe be; ſo that ſome have imagined that the very Study of Divinity hath made them ſuch:* or, as he elſewhere ſays, *that their Behaviour is ſuch, that Divinity hath been looked on as a Sort of Study that deprives Men of Sincerity and common Senſe.* Let us not imagine, that theſe Things are not equally true of the ancient, as well as of the modern Divines. He that but dips into the Acts of the ancient Councils, and Eccleſiaſtical Remains, will evidently ſee, that they had the ſame Paſſions with thoſe of our own Time, were equally precipitant in condemning, bitter in reproaching, and violent in perſecuting thoſe they call'd Hereticks. *Socrates* writes of the Biſhops of his own Time, *That their manner was, to load with Reproaches, and pronounce impious all they depoſed, without declaring the Cauſes of their Impiety.* When they write againſt their Adverſaries, their Stile is oftentimes bitter; an Impotency of Mind that many have obſerved in the principal and moſt celebrated Authors. *Eraſmus*, tho' he highly commends *Jerome*, hath ſeveral Times obſerved the ſame in him. In his Apology to *Martin Dorpius*, he thus writes of him: *Even* Jerome, *a Man ſo grave and pious, could not always govern himſelf; he grows furiouſly hot againſt* Vigilantius, *immoderately inſults* Jovinian, *and bitterly inveighs againſt* Ruffinus. In his Apology againſt *Sutor*, he goes farther, and ſays; *That tho' his Memory is now deſervedly accounted ſacred by all, yet whilſt he lived, he reviled, and railed at, and deceived others; and was in his Turn reviled, and railed at, and deceived by others.* *Hutter* gives no better a Character of *Jerome*, writing againſt the *Irenicum* of *Paræus*, p. 14. *He that turns over the Writings of St.* Jerome *againſt* Jovinian, Vigilantius, *and* Ruffinus, *will be amaz'd to ſee in a Monk ſuch a boiling and bitter Gall.* Upon which Account *Budæus* pleaſantly writes to *Eraſmus: Who knows, but that for this Reaſon he may be brought and ſcourged before the Tribunal of Chriſt?* I don't mention theſe Things to blacken the Reputation of *Jerome*, but to ſhew by the Example of this otherwiſe great Man, how difficult it is to govern ones ſelf in theological Debates, when we ſee Men, famous for their Piety, thus carried away by the Heat of Diſputes. The Moderation of *Auſtin* is generally commended: But he that reads his Writings againſt the *Donatiſts*, muſt acknowledge, that in the Warmth of Diſputation he oftentimes exceeds the Bounds of Moderation, and lays to their Charge every thing that came uppermoſt. *Athanaſius*'s Epiſtle to the Monks is Proof enough of his ungovernable and angry Temper, in which we find nothing but foul and reproachful Language againſt the *Arians*; a plain Proof of a violently diſorder'd Mind. I queſtion not but that he had weighty Reaſons for his Anger and Hatred. But 'tis as certain, that when the Mind is diſorder'd, tho' for the moſt juſt Cauſe, many Things are raſhly thrown out, the Effect of Choler, and not agreeable to Truth: So that 'tis by no Means ſafe, haſtily to credit, all that the angry

*Hiſt. Eccl. b.* 1. *c.* 24.

*Tom.* 9. *p.* 3, 4.

*Tom.* 3. *p.* 119.

*Tom.* 9. *p.* 640.

Eraſmi, *Tom.* 3. *p.* 156.

gry Fathers have ſaid of, or imputed to their Adverſaries, eſpecially as they have taken Care to ſuppreſs their Writings. *Cunæus* very ſolidly and gravely pronounces his Opinion of the *Greek* Fathers, *viz. The common People think, that he muſt be very criminal, who doth not believe, that Piety, the great Support of Chriſtianity, is always attended with Candour. For my own part, as I eſteem them on many Accounts to be excellent and divine Men, ſo I know that they have done ill deſignedly, and were of a very bitter Spirit. Not to mention others, the* Greek *Fathers, thro' a national Vice, were always too violent on both Sides. They had all of them a rolling Eloquence, admirable Learning, and a Genius fit for every thing; and on theſe Accounts one may diſcern a Sharpneſs and Eagerneſs breathing throughout all the Remains they have tranſmitted to Poſterity. As for thoſe they were angry with, tho' great Men in themſelves, and worthy the higheſt Commendation, they blacken'd them as the vileſt Perſons; and on the other hand, they were ſo laviſh of their Praiſes on thoſe they approved, that, tho' they had little to deſerve it, Poſterity admires their Virtues, and even adores a Stone of their Sepulchre as a God.* Not much different from this, is that Paſ-

*Præfat. in Juliani Cæſares.*

*l.*11.*p.*663 ſage of *Melchior Canus*, in his *Common Places of Divinity: I cannot excuſe* Sozomen's *Lyes: For he was a* Greek, *which Nation is and ever was addicted to lying.* And he was ſo fully convinced, that the moſt ſhameful Lyes had crept into the Hiſtories of his own Church, that he breaks out into

*p.* 650. this Complaint: *I ſpeak it rather with Grief, than as a Matter of Reproach, that* Laertius *hath written the Lives of the Philoſophers with greater Regard to Truth, than Chriſtians have the Lives of their Saints; and that* Suetonius's *Account of the* Cæſars *is written with greater Incorruptneſs and Integrity, than the Account which the Catholicks have given, I will not ſay of their Emperors, but of their Martyrs, Virgins, and Confeſſors. The two former have not concealed the real or ſuſpected Vices of their beſt Philoſophers or Princes, nor the Appearances of Virtue in the worſt; whereas ours, for the moſt part, either are governed by their Paſſions, or induſtriouſly forge ſo many idle Stories, that I am not only aſhamed but tired of them. Such as theſe are ſo far from being uſeful to the Church of Chriſt, that they greatly diſſerve its Intereſt. I forbear their Names, becauſe here I blame their Morals, and not their Learning, as to which the Cenſure might be more free. As to Behaviour, one ought to be more cautious towards the Living, and more reſpectful towards the Dead: But this is certain, that whoever mix Fable and Falſhood with Eccleſiaſtical Hiſtory, can't be good and upright Men, and their whole Account can be invented for no other Purpoſe, but to increaſe their Gains, or to eſtabliſh Error; of which the firſt is vile, the other pernicious.*

*p.* 654. And a little after, deſcribing the Office of a good Hiſtorian, he ſays: *That he ought not to dare to ſay any thing falſe, or omit any thing true, that he may'nt be ſuſpected to write either out of Favour or Hatred.* He adds: *Since theſe Things are neceſſary Marks of Honeſty and Integrity, 'tis ſtrange that* Suetonius *ſhould have obſerved them all, and almoſt all ours have entirely omitted them.* 'Tis no difficult Matter to conjecture what their Candour and Fidelity is, in relating the Actions of their Adverſaries, and thoſe whom they have condemned for Hereticks, who have been ſo immoderate and falſe in their

Commen-

Commendations of their Saints. *Canus* himſelf confeſſes, that moſt of their Writers have been deſtitute of every Qualification of a good Hiſtorian. *Bellarmine*, in his *Marks of the Church*, ſays: *The Catholicks are no where found to have praiſed or approved either the Doctrine or Life of any Heathens or Hereticks.* So that it was a ſufficient Reaſon to write the worſt Things of any Man, or to conceal and condemn to eternal Oblivion the beſt and moſt laudable Actions, if he had been pronounced an Heretick by the Church; and the Papiſts now think it Reaſon enough to give no Credit to any Perſon, if he doth not condemn, or if he praiſes the Actions of thoſe who have been declared Hereticks by the Church of *Rome*, and hath in any manner oppoſed her. On this Principle, *Melchior Canus* gives his Reaſons, why all the Faithful of Chriſt ought to explode the Hiſtory of *Cario*. *For*, ſays he, *in his Writings, he villifies and cruelly uſes ſome of the Popes, who were the beſt of Men, and commends and extols ſome of the* German *Emperors, who were Rebels and Enemies to the Church of* Rome. *So that you may know the Lion by his Paw*, i. e. *a* Lutheran *by thoſe he praiſes or condemns.* If this Inference of *Canus* were true, 'tis neceſſary, that he who would be owned for a Catholick, muſt load all the Enemies of the Church of *Rome* with Infamy and Diſgrace, and never blame the Catholicks, but praiſe and commend every thing they do. But if we read the Writings and Hiſtories of the modern Papiſts, we ſhall find them filled with ſo many Stories and evident Lyes, to which the publick Acts and Documents bear Witneſs, that one can ſcarce find the ſmalleſt Footſteps of Truth in them, and may juſtly affirm, that they wrote entirely for Gain, or the Eſtabliſhment of Error. And if their Power ſhould riſe again to the ſame Height as it was in former Ages, ſo that they ſhould be able wholly to deſtroy the Writings and Monuments of thoſe who differ from them, and Perſons were to learn from their Writings only the Doctrines and Actions of the Reform'd and Proteſtant, who doth not ſee what wretched Accounts they would tranſmit to Poſterity, even lighter than Vanity it ſelf; which however could ſcarce be convicted of Falſhood by proper Teſtimonies, after they had thus deſtroyed the contrary Documents? And therefore, as 'tis not ſafe to form a Judgment of the Principles and Behaviour of the Reform'd and Proteſtant from Popiſh Writings only, ſo we ought to be very cautious and backward of pronouncing concerning the Doctrines and Actions of thoſe who were condemned for Hereticks, from the Writings and Hiſtories of the Ancients, becauſe their Writings have been ſo entirely ſuppreſs'd by the Induſtry and Care of their Adverſaries, that there is ſcarce one genuine Book of theirs remaining, wherein they have deſcribed or defended their Doctrine or Manner of Proceeding. But 'tis Time to return from this Digreſſion.

cap. 16.

p. 662.

We have ſhewn with what Bitterneſs the Orthodox have perſecuted the *Arians* and *Donatiſts*; nor did the *Arians* exerciſe leſs Cruelty againſt the Orthodox, when they had an Emperor who favour'd their Party. But it muſt be confeſs'd this Cruelty was not always equal: For although the

*Arians*

*Arians* are not to be excus'd in their barbarous Treatment of the Orthodox; yet we read that ſometimes it was greatly abated. *Socrates* in his Eccleſiaſtical Hiſtory, *l.* 4. *c.* 32. relates of *Valens* the Emperor, *That he violently oppos'd thoſe who profeſſed the Doctrine of Conſubſtantiality, threatning them every Day with ſeverer Puniſhments*; *till* Themiſtius *the Philoſopher partly mitigated his Rage, by an Oration, called* περσφωνητικος, *in which he admoniſhes the Emperor, that he ſhould not ſo greatly wonder that there was ſuch a Diverſity of Opinions amongſt Chriſtians*; *for that it was but ſmall if compared with the Number of the different Opinions amongſt the* Greeks, *which were more than three hundred. This Variety of Opinions muſt neceſſarily cauſe Diviſions*; *but that God was pleaſed with this Diverſity of Sentiments, that all might learn the more to reverence his Majeſty from the Difficulty of underſtanding him. When the Philoſopher had repreſented theſe and other Things of like Nature to him, the Emperor grew afterwards more mild, though he did not entirely lay aſide his Fury, puniſhing the Prieſts with Baniſhment inſtead of Death.* But afterwards, as the ſame *Socrates* relates, *c.* 35. being preſſed with the *Gothick* War, he left off baniſhing the *Homouſians*. Farther, there were ſome amongſt them who abſtained from all Violence in Matters of Religion, and were willing to allow the free Exerciſe of it to thoſe who differed from them. *Grotius* gives them this Teſtimony: *Nor is this a little to their Praiſe, that the* Vandals, *about the Times of* Hunnerick *and* Gundemond, *and the* Goths, *always abſtained from offering Violence to the Conſciences of thoſe ſubject to them, and permitted the Followers of the* Nicene *Faith to believe and teach, and perform divine Worſhip as they pleaſed. The Ambaſſadors of the* Goths *ſaid to* Beliſarius, *that they never forced any one with Threatnings to change his Profeſſion*; *nor hinder'd the* Goths *themſelves from believing the* Nicene *Faith*; *adding, that the* Goths *did not ſhew leſs Reverence towards the ſacred Places than the* Romans *themſelves.* And a little after, *p.* 32. Theuderick, *King of the* Oſtrogoths *and* Italy, *is highly extolled by* Eunodius, *the Catholick Biſhop of* Ticinum, *for his Piety and Worſhip of the true God. Such was his Regard even to the Religion he did not profeſs, that he always made the beſt Men Biſhops.* Concerning which, his Nephew *Athalarick* thus writes: "'Twas but "juſt to obey the Will of ſo good a Prince, who in a Religion he did not be"lieve, acted with ſo wiſe Deliberation, as to chooſe ſuch a Biſhop, as made "it appear that this was his governing Deſire, to ſee the Religion of all Chur"ches flouriſh under good Prieſts." *Hence it came to paſs, that he called a Synod to put an End to a Schiſm that had aroſe, as* Paulus Warnefredi, *and* Zonaras *declare: He annulled all Simoniacal Ordinations, and deſired the Catholick Biſhops to pray in his Behalf for the divine Aſſiſtance*; *as may be ſeen in* Caſſiodorus: *So that I do not wonder that* Silverius, *Catholick Biſhop of* Rome, *was ſuſpected by the* Greeks, *of favouring the Empire of the* Goths *rather than the* Greeks. Procopius *furniſhes us with this noble Inſtance of the Equity of the* Goths *in Religion.*

Proleg. ad Procop. Goth. & Vandalic. *p.* 31.

In like Manner the Orthodox Emperors did not always make Uſe of that Severity which their Laws threaten'd againſt Hereticks, it being ſometimes their Intention only to terrify with the Fear of Puniſhments, and not to inflict

the Punishments themselves. *Sozomen* relates, that "*Theodosius* commanded *Ec. Hist.*
"by a Law, that Hereticks should not assemble together, nor teach their *l.* 7. *c.* 12.
"Opinions, nor ordain Bishops or others. That some of them should be
"driven from their Cities and Lands; others declar'd infamous, and denied
"the Privileges of the City which other Citizens enjoy'd; and that he or-
"dained other grievous Penalties by his Laws, which he never executed:
"For he endeavour'd not to punish, but only terrify his Subjects, and thus
"to bring them into his own Sentiments of the Deity; for he commended
"those who were willingly converted." The same Writer relates of *Va-*
*lentinian*, who enjoy'd the Empire with his Brother *Valens*. "They were *l.* 6. *c.* 6.
"both Christians by Religion; but differ'd in their Opinions and Manners.
"For *Valens*, when baptiz'd by *Eudoxius* the Bishop, furiously followed the
"Doctrine of *Arius*, and was angry that he could not force all into his Senti-
"ments. But *Valentinian* embraced the *Nicene* Faith, and favour'd those who
"were of his Mind; but never injur'd any who were of a different Opini-
"on." *Socrates* also, and *Sozomen* relate of *Gratian*, who govern'd the Empire *Hist. Ec.*
with *Valentinian* the Younger, that he ordain'd by Law, *That all Persons of* *l.* 5. *c.* 2.
*every Religion, without Exception, should meet in their Churches; and that the* *l.* 7. *c.* 1.
Eunomians, Photinians, *and* Manichees *only should be expelled from them. So-*
*crates*, after having recounted the various Sects of Hereticks, adds, *That the* *l.* 5. *c.* 20.
*Emperor* Theodosius *persecuted none of them except* Eunomius, *whom for gather-*
*ing Assemblies, and reading over the Books he had written in private Houses at* Con-
stantinople, *he sent into Banishment, because he corrupted many with his Doctrine:*
*As to the rest he offer'd them no Injuries, nor forced them to communicate with himself;*
*but permitted all to meet in their Conventicles, and to think as they pleased of the*
*Christian Faith. Some of them he suffer'd to build themselves Oratories without the*
*Cities, but the* Novatians *to have their Churches within them, without fear; be-*
*cause they held the same Sentiments, in Matters of Faith, with himself.* And he
relates of *Atticus*, Bishop of *Constantinople*, *That he did not only preserve his own* *l.* 7. *c.* 25.
*People in the Faith, but even surpriz'd the very Hereticks by his wonderful Prudence;*
*that he had no Inclination to persecute them, and that having once attempted to*
*terrify them, he always after shew'd himself more mild and gentle towards them.*

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## CHAP. V.

### *The Opinion of some of the* FATHERS *concerning the Persecution of* DISSENTERS.

WHAT the Opinion of those ancient Doctors of the Church, whom we call Fathers, was, we may learn from their Writings. *Atha-*
*nasius*, in his Epistle to the Hermits, speaks in this Manner of the *Arians*, and thus paints out their Persecutions against the Orthodox: *That* Jewish *He-* *p.* 821.

*resy*

*resy hath not only learnt to deny Christ, but also to delight in Slaughters. But even this was not sufficient to satisfy them. For as the Father of their Heresy goes about as a roaring Lion, seeking whom to devour; so these having Liberty to go up and down, run about, and whomsoever they happen to meet with, who either blame their Flight, or abhor their Heresy, inhumanly tare them with Scourges, or bind them with*
p. 130. *Chains, or banish them from their native Country.* And a little after: *If it be a mean and dishonest Thing, that some Bishops have chang'd their Opinion through Fear, how much more heinous and vile is their Wickedness, who, as is the Case generally of those who mistrust the Goodness of their Cause, have forced others against their Will to renounce their Belief? Thus also the Devil, because he hath no Truth in him, invades Men with the Hatchet and Ax; and thus violently breaks open the Doors of those that receive him. The Saviour, on the contrary, is gentle; his Language is,* If any one will, let him follow me, and become my Disciple. *When he comes to any one, he doth not make use of Force, but knocks at the Door, and says,* Open to me, my Sister, my Spouse. *If they open he enters; if they refuse it he departs: For Truth is not to be preach'd by Swords, or Darts, or military Weapons; but by Perswasion and Advice. But what room is there for the Liberty of Perswasion, where Men are awed by the imperial Authority? And what signifies Reasoning, when whoever opposes is sure to be rewarded with Banishment or Death?* And after a great deal more, he thus inveighs against the bloody
p. 852. *Arians: All their Endeavours abound with Slaughter and Impiety; and such is the accursed Craftiness of their Temper and Behaviour, that they abuse and deceive Men by the Promises of Honours, and Majestracies, and Money, that so when they cannot obtain the Constitution of their Bishoprick by lawful Means, they may give the more simple some Appearance of a right Institution. So that the very Name of* Heathen *is too good for them; so far are they from meriting the Name of* Christians, *and their Actions so unlike those of Men, that they are perfectly savage and brutal. For such is their Cruelty and Barbarity, that they are more bloody than the very Executioners, and more vile than any other Hereticks, and greatly excelled, even by the* Heathens *themselves: For I have heard from the Fathers, and I believe it true, that in the Persecution under* Maximianus, *the Grandfather of* Constantius, *the* Heathens *conceal'd our Christian Brethren when they were sought after, and were themselves oftentimes fin'd and imprison'd for no other Reason, but because they would not betray those that fled to them, thinking themselves bound to protect them with the same Fidelity as they would have expected themselves; not in the least afraid to expose themselves to Danger on that Account. But now these wonderful Inventors of a new Heresy, famous for nothing so much as their Treachery, act quite the Reverse; for they seek out those that conceal themselves, and lay Snares for those that harbour them; and become of their own Accord, very Executioners; accounting the Concealed and the Concealor equally their Enemy: So that they are naturally bloody, and Murtherers, and Rivals of the Wickedness of* Judas. *'Tis indeed impossible that any Words can sufficiently describe their Actions.* What would not this Doctor have said, had he seen the cruel Laws of the Inquisition brought into Use, by which 'tis not only a Crime to conceal an Heretick, but all who do not inform against him are anathematiz'd as Favourers and Defenders of Here-

Hereticks, and Hinderers of the Office of the Inquiſition, and condemned to other Puniſhments, according to the arbitrary Will of the Inquiſitors. He would unqueſtionably have complained that he wanted Words to deſcribe ſuch an execrable Cruelty. For if what the *Arians* did was beyond Deſcription, how much leſs can any Words give a juſt Repreſentation of the Barbarity of the Inquiſitors, which is as much ſuperior to the Cruelty of the *Arians*, as theirs was, according to *Athanaſius*, to that of the Heathens. But *Athanaſius* goes on: *Oh their new Hereſy! Such are its Wickedneſſes and Impieties, that let the Devil be ever ſo bad, this will appear to be the Devil all over. Such a monſtrous Evil never roſe up before; for thoſe who had any heretical Opinions, uſed to keep their Thoughts and Sentiments to themſelves. But now* Euſebius *and* Arius, *like Serpents crawling out of their Dens, vomit openly the Poiſon of their impious Sect; this taking the Liberty publickly to blaſpheme, and the other as publickly to defend his Blaſphemy: But this he could not defend till he had found an Emperor to ſupport his Blaſphemy. On the other hand, the Fathers in a general Council, of about* 300 *Biſhops, condemn'd the* Arian *Hereſy, and ſhew'd that 'twas contrary to the Faith of the Church: But the Defenders of the Sect, ſeeing themſelves deſpis'd, and being able to alledge nothing agreeable to Reaſon, have invented a new Way, and attempted to ſupport themſelves by the ſecular Power; in which one cannot help being amaz'd at their Inſolence and Wickedneſs; and how much it exceeds all other Hereſies. For the Madneſs of other Hereſies conſiſts in perſwaſive Words, in order to deceive the Simple: And as for the Heathens, the Apoſtle tells us, they deceive Men by their Eloquence and Oratory, and ſubtle Speeches; and the* Jews, *forgetting the Scriptures, contend about Fables and endleſs Genealogies: The* Manicheans *alſo, and* Valentinians, *and the other Hereticks, endeavour to ſupport their Trifles by adulterating and corrupting the ſacred Scriptures. But the* Arians, *more perverſe than all the reſt, plainly declare all the other kindred Hereſies to be inferior to theirs, ſince they allow themſelves in much more impious Practices, and endeavour to rival all others, but eſpecially the* Jews *in their Wickedneſs and Villainies; for as they immediately brought* Paul *before the Governors Tribunal, whom they could not convict of the Crimes objected to him; ſo theſe, every Day deviſing freſh Tricks, uſe no other Arguments but the Power of the Judges; and if any one but once contradicts them, he is immediately dragged before the Governor and Captain: And farther, other Hereſies being overcome by the Demonſtration of the Truth, ſhut their Mouths in Silence, and have nothing to do but to bluſh upon Conviction. But this new and execrable Hereſy when overcome with Reaſon, and put to ſhame by the Power of Truth, endeavours to bring Men over to its Intereſt by Violence, Stripes and Jails, when Words prove ineffectual to perſwade them; and even by this ſhews it ſelf to be an Enemy to true Piety and the Worſhip of God: For 'tis the Property of true Religion, not to force but perſwade. Thus our Lord, far from forcing Men, left them to the Liberty of their own Will, commonly thus ſpeaking to all:* If any one will come after me; *and to his Diſciples:* And will you go away alſo? *But what is more ſuitable to the Nature of ſuch an Hereſy as this, which is quite repugnant to true Religion, and in Rebellion to Chriſt, avows* Conſtantius *as the Author of its Impiety, hereby making him,*

*him, as it were, an Antichriſt; what more agreeable to its Nature than to act in Defiance to the Saviour?*

In his firſt Apology for his Flight, he ſpeaks to the ſame Purpoſe. And in the firſt Place to prevent the *Arians* imputing theſe Perſecutions to the
p. 702. Judges, and ſo pronouncing themſelves innocent, he ſays: *What the Judges ſeem to do, they are the true Authors of; or rather, they make themſelves the Tools to execute the Sentence and Malice of the Judges.* And afterwards he ſhews from
p. 716. whom they learn'd theſe Perſecutions. *Pray let them tell me, ſince whatever is ſaid to them, they pretend is unworthy their Regard, whence they have learn'd the Doctrine of Perſecution? Surely they had it not from the Saints; it therefore follows, that they muſt have received it from the Devil, whoſe Language is,* I will purſue and overtake. *It is the Command of God, and agreeable to the Practice of the Saints, that we ſhould fly; but to perſecute is the Invention of the Devil, who being an Enemy to all, is deſirous of exciting every where Perſecution.* In this and the like Manner, *Athanaſius*, whilſt perſecuted by the *Arians*, largely and pathetically argues, condemning Perſecution of every Sort upon the Score of Religion, and freely pronouncing it the Invention of the Devil. And yet we do not find that this ſame *Athanaſius* made the leaſt Interceſſion with the Emperor *Conſtantine*, when the *Nicene* Synod was ended, to prevent the Baniſhment of *Arius* and his Followers; no, nor one ſingle Word to ſhew that he even diſapprov'd of *Arius*'s Baniſhment; through a too common Weakneſs of Mind, whereby Men are apt to think, that the ſame Thing done to them by others would be moſt unjuſt, that would not be unjuſt in them to do to others.

*Hilarius* againſt *Auxentius* the *Arian*, ſhews, with equal Eloquence, his Deteſtation of Cruelty towards Men differing in their religious Sentiments. *And firſt I cannot help pitying the Misfortune of our Age, and lamenting the abſurd Opinions of the preſent Times; according to which, human Arts muſt ſupport the Cauſe of God, and the Church of Chriſt be defended by Methods of ſecular Ambition. I beſeech you, O ye Biſhops, who believe your ſelves to be ſuch, what Helps did the Apoſtles make Uſe of in propagating the Goſpel? What Powers aſſiſted them in preaching Chriſt, and converting all Nations from Idols to God? Had they any of the Nobles from the Palaces joined with them, when they ſung Hymns to God in Priſon and in Chains, and after they had been cruelly ſcourged? Did* Paul *gather the Church of Chriſt by Virtue of the Royal Edict, when he himſelf was made a Spectacle in the publick Theatre? Was the Preaching of the Divine Truth protected by* Nero, Veſpaſian *or* Decius, *which flouriſhed by Means of their very Hatred towards us? Had they not the Keys of the Kingdom of Heaven? Surely they had, though they maintained themſelves by their own Hands and Labours, met together in Garrets and ſecret Places, and travelled by Sea and Land over almoſt all the Nations, Towns and Cities of the Earth, in Oppoſition to the Edicts both of Senate and Kings? Did not Mens Hatred of the Goſpel manifeſt the Divine Power, in that the more Chriſt was forbidden to be preach'd, he was ſtill the more preach'd in the World? But now (O wretched Caſe!) earthly Suffrages are to recommend the Divine Faith; and Chriſt is declared to be deſtitute of Power, ſince Ambition is become the Means of reconciling Men to his Name.*

*Name. The Church now terrifies Men by Baniſhments and Jails, which was at firſt believed in by Means of Baniſhments and Jails: She now relies on the Dignity of her Communicants, though at firſt conſecrated by the Terror of her Perſecutors: She now puts her Prieſts to flight; though ſhe was at firſt propagated by the Flight of her Prieſts. She now glories that ſhe is beloved of the World; though ſhe could not belong to Chriſt, unleſs the World hated her.* And in his firſt Book to *Conſtantine*, to the ſame Purpoſe. *God rather choſe to teach Men the Knowledge of himſelf than forcibly demand it; and by gaining Authority to his own Precepts, by wonderful heavenly Works, ſhew'd that he diſdained a Mind compelled even to the Acknowledgment of himſelf. If ſuch a Method as this was made Uſe of to propagate the true Faith, the Epiſcopal Doctrine ſhould agree with it, and ſay, He is the God of the whole World, and needs not a conſtrained Obedience. He doth not require a forced Confeſſion: He is not to be deceived, but engaged: He is to be worſhiped, not for his own ſake, but ours. I can accept him only that is willing; hear him only that prays, and heal him only that freely confeſſes him. He is to be ſought with Simplicity of Mind, to be learn'd by humble Confeſſion, to be loved with true Affection, to be reverenc'd with Fear, and his Favour to be ſecured by an honeſt Mind. But what ſtrange Thing is this, that the Prieſts are forced by Chains and ſevere Penalties to fear God? The Prieſts are kept in Priſon; the People are bound in Chains; Virgins are ſtripp'd naked, and their Bodies, conſecrated to God, expoſed by Way of Puniſhment to publick View, made an open Spectacle, and fitted for the Torture.*

*Ambroſe* alſo taught the ſame Doctrine. *The Apoſtles are not commanded to take Rods in their Hands, as* Matthew *writes. What is a Rod but an Enſign of Power, and an Inſtrument of Vengeance to inflict Pain? And therefore the Diſciples of an humble Maſter, I ſay of an humble Maſter, for* in his Humility his Judgment was taken from him, *can only perform the Duty he hath enjoyned them by Offices of Humility: For he ſent Perſons forth to ſow the Faith, who ſhould not force Men but teach them; nor exerciſe Power, but exalt the Doctrine of Humility.* And a little after he adds: *When the Apoſtles would have had Fire from Heaven, to conſume the* Samaritans, *who would not receive our Lord Jeſus into their City; he turned about and rebuked them, ſaying,* Ye know not what Spirit ye are of; for the Son of Man is not come to deſtroy Mens Lives, but to ſave them. *Comment. in Luc. l. 7. in c. 10.*

*Gregory Narianzen* evidently ſhews himſelf to be of the ſame Sentiment, although he hath not handled this Argument profeſſedly: For having obſerved that Men were not eaſily and at once, but ſlowly and gradually, brought off from Idolatry to the Law, and from the Law to the Goſpel; and having conſider'd the Reaſon of it, he thus ſpeaks: *And why is it thus? Becauſe we are to know, that Men are not to be driven by Force, but to be drawn by Perſwaſion. For that which is forced is not laſting; this even the Waves teach us, when they are repelled by Violence; and the very Plants when bent contrary to their Nature. That which is voluntary is both more laſting and ſafe. This is agreeable to the Divine Equity; the other an Inſtance of Tyranny. So that he did not think it juſt even to do good to Men againſt their Will, or without their Conſent.*

*ſent.* And in the Poem of his own Life, he ſpeaks to the ſame Purpoſe:

*Perſwaſion's much more juſt than Violence;*
*Fitter for us, and thoſe whom we attempt*
*To reconcile unto the Being Supream:*
*What by Compulſion's done can never laſt.*
*Like as the bending Bow, and Stream repell'd,*
*The Force remov'd, by their own Power return*
*To native Form and Place, ſcorning Reſtraint.*
*That's only durable which is th' Effect*
*Of free Conſent and Choice. Love leads the Way,*
*And ſteady keeps, by kind, yet powerful Influence.*

*Optatus Milevitanus* writing againſt *Parmenianus*, the *Donatiſt*, vindicates the Church from the Charge of perſecuting Diſſenters from it. For when *Parmenianus* objected to the Catholicks: *That cannot be called the Church, which feeds on cruel Dainties, and grows fat with the Fleſh and Blood of the Saints:* *Optatus* thus anſwers him, *l.* 2. *The Church hath its proper Members; the Biſhops, Presbyters, Deacons, Miniſters, and the Body of the Faithful. To which of theſe different Orders in the Church can you impute what you object? Point out, if you can, by Name, any Miniſter or Deacon, or inſtance in any one Presbyter that hath been concerned in it, or any Biſhops who have approved it. What one amongſt us hath endeavoured to enſnare, or hath perſecuted any Perſon? Declare, if you can, and prove one ſingle Inſtance of Perſecution by us.* In this Paſſage he plainly acknowledges, that the Church ought not to feed on cruel Dainties, and denies that the *Donatiſts* can, with Truth, object this to his own Church; though indeed, 'tis ſcarce to be believed, when one conſiders the Edicts of the Emperors againſt the *Donatiſts*, and other Hereticks. But he goes on, and largely ſhews, that the *Donatiſts* themſelves had fed on theſe cruel Dainties, and feaſted on Chriſtian Blood; and at length concludes: *See, your own Party have made good what you your ſelf have confeſſed, that that cannot be the Church which feeds on cruel Dainties. Miſſionary Dragoons, and ordained Biſhops are vaſtly different. What you have falſely laid to our Charge, hath been done by others, not by us; and what you have owned to be unlawful to do, you your ſelves have acted.*

What was *Chryſoſtom*'s Sentiment in this Affair, he himſelf ſufficiently declares in his Sermon about Excommunication, where he thus inveighs againſt thoſe, who pronounced others accurſed: *I ſee Men, who underſtand not the genuine Senſe, nor indeed any thing of the ſacred Writings, who, to paſs by other Things, I am not aſhamed to own, are Furious, Triflers, Quarrelſome, who know not what they ſay, nor whereof they affirm; bold and peremptory in this one Thing, ever determining Articles of Faith, and declaring accurſed, Things they underſtand not. Upon this Account we are become the Scorn of the Enemies of our Faith, who look upon us as Perſons that have no Regard for Virtue, and never learnt to do good. How*

*am*

*am I afflicted and grieved for these Things?* And afterwards, citing that Place of St. *Paul*, 2 Tim. ii. 24, 25, 26. *The Servant of the Lord must not strive, but be gentle*, &c. he goes on: *Entice him with the Bait of Compassion, and thus endeavour to draw him out from Destruction, that being thus delivered from the Infection of his former Error, he may live, and thou may'st deliver thy Soul. But if he obstinately refuses to hear, witness against him, lest thou become guilty; only let it be with Long-suffering and Gentleness, lest the Judge require his Soul at thy Hand. Let him not be hated, shunn'd, or persecuted, but exercise towards him a sincere and fervent Charity.* And at length he thus concludes: *Impious and heretical Principles are to be opposed and anathematized; but Men themselves are to be spared, and we must pray for their Salvation.* If this was his Opinion as to those who anathematised others only upon the Account of Heresy, how zealous would he have been against such, who, not content to pronounce Hereticks accursed, deliver them over to the secular Arm to be most cruelly punished?

He farther declares his Opinion, in his eighth Homily on the first of *Genesis*: *Hereticks may be compared to Persons in a Disease, and that are almost deprived of their Sight; for as the one cannot bear the Light of the Sun thro' the Weakness of their Eyes, and the other thro' Illness nauseate the most wholsome Food; so they being distemper'd in their Minds, and darkned in their Understanding, cannot endure to behold the Light of Truth. We ought therefore, in Discharge of our Duty, to hold out the helping Hand, and speak to them with great Meekness. For thus St.* Paul *hath advised, saying, That our Adversaries are to be instructed with Gentleness, if peradventure God may give them Repentance, to the Acknowledgment of the Truth, and that they may escape out of the Snare of the Devil, having been taken captive by him at his Will—— so that there is need of a double Measure of Gentleness and Forbearance, to deliver and bring them out of the Snares of the Devil.* But in his 47th Homily upon *Matt.* xiii. explaining the Parable of the Tares, he doth not condemn all Sorts of external Violence against Hereticks: *Wilt thou therefore that we go and gather them up? But the Lord forbad it, lest also ye pluck up the Wheat with the Tares; which he said to prevent Wars, and Effusion of Blood, and Slaughter. For if Hereticks were to be killed, a bloody and eternal War would spread it self thro' the World. And therefore he forbids it on a double Account; the one, that the Wheat might not be burnt; the other, that unless they were healed, they could not escape the severest Punishment. Therefore, if you would punish them, and not hurt the Corn, you must wait for the proper Time and Season. What then doth he mean when he says, lest also ye pluck up the Wheat? Undoubtedly this, that if you take up Arms, you must necessarily destroy many of the Saints with the Hereticks; or that even some of these may be changed into the true Wheat: If therefore you too hastily pluck them up, you will destroy all that good Wheat, which might have been produced out of the very Tares. But he doth not forbid us to confine, or shut the Mouths of Hereticks, or to hinder their Liberty of Speech, or synodical Assemblies, or prevent their Union, but only to murder and destroy them.*

St. *Jerome* is of the same Mind, who in his 62d Letter to *Theophilus* against *John of Jerusalem*, thus speaks: *The Church of Christ was founded on the bloody Sufferings*

*and*

*and Patience of its first Professors, and not on their abusing and injuring others: It grew by Persecutions, and triumphed by Martyrdoms.* For tho' he shews himself very severe against Hereticks, yet he was not for punishing them with Death, but treating them with Gentleness. Thus in his Comment on *Hosea* ii. 1. *You that believe in Christ, whether* Jews *or* Gentiles, *say ye to the Branches that are broken off, and the People that is cast out, My People, for he is thy Brother; and my Sister, for she hath obtained Mercy. When the Fulness of the* Gentiles *shall come in, then shall all* Israel *be saved. This is commanded us, that we should not wholly despair of Hereticks, but provoke them to Repentance, and with a brotherly Affection wish their Salvation.* And explaining the Parable of the Tares, *Matt.* xiii. he says: *Wherefore he who governs the Church ought not to sleep, lest thrô' his Negligence the Enemy should sow the Tares,* i. e. *heretical Opinions. But whereas 'tis said, lest gathering the Tares, ye pluck up also the Corn, 'tis to shew us, that there is a Place for Repentance, and that we ought not hastily to cut off our Brother, because it may happen, that he who To-day is infected with heretical Pravity, may repent To-morrow, and become a Defender of the Truth.* And in his Commentary on the Epistle to the *Galatians*, ch. v. 9. *A little Leaven leavens the whole Lump*, among other Things he hath this: *A Spark is to be extinguished as soon as it appears, and the Leaven not to be suffer'd to approach the Lump: Corrupted Flesh is to be cut off, and scaby Sheep to be driven from the Sheepfold, lest the whole House, Lump, Body and Flock, should be burn'd, leavened, corrupted, and perish.* Arius *at first was but as a single Spark, which, because it was not immediately extinguished, set on Fire and ravaged the whole World.*

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## CHAP. VI.

### *St.* AUGUSTINE'S *Opinion concerning the Persecution of* HERETICKS.

*Augustine*, in his former Writings, condemned all Violence upon the Account of Religion; for, writing against the fundamental Epistle of *Manichæus*, he begins with this Address to the *Manichæans: The Servant of the Lord ought not to strive*, &c. *It is therefore our Business willingly to act this Part. God gives that which is good to those who willingly ask it of him. They only rage against you, who know nothing of the Labour that is necessary to find out Truth, or the Difficulty of avoiding Errors. 'Tis they who rage against you, who know not how uncommon and difficult it is to overcome carnal Imaginations by the Calmness of a pious Mind. 'Tis they who rage against you, who are ignorant how hard it is to heal the Eye of the inward Man, so that it can behold its Sun; not that Sun whose celestial Body you worship, and which irradiates the fleshly Eyes of Men and Beasts, but that of which the Prophet writes,* The Sun of Righteousness is risen on me; *and of which we read in the Evangelist,* He was that true Light which enlightens every Man that cometh into the World. *They rage against you, who know not that 'tis by many*

*Sighs and Groans we muſt attain to a ſmall Portion of the Knowledge of God. Laſtly, they rage againſt you, who are not deceived with that Error, into which they ſee you are fallen. But as for my ſelf, I, who after long and great Fluctuation, can at laſt perceive, what is that Sincerity which is free from all Mixture of vain Fable, cannot by any Means rage againſt you, whom I ought to bear with, as I was once borne with my ſelf, and to treat you with the ſame Patience that my Friends exerciſed towards me, when I was a zealous and blind Eſpouſer of your Error.*

And again, in his Queſtions upon St. *Matthew*'s Goſpel, *chap.* 12. when the good Corn ſprung up and brought forth Fruit, then appear'd the Tares alſo: *For when the ſpiritual Man begins to diſcern all Things, he begins to diſcern Errors. His Servants ſaid to him,* Wilt thou that we go and gather the Tares? *Are we to ſuppoſe that thoſe are the Servants, whom he calls a little after Reapers, which in the Expoſition of the Parable he expreſly ſaith to be Angels? But who will dare affirm, that the Angels knew not who ſowed the Tares, and then firſt diſcerned them, when they perceived the Fruit come forth? We ought rather to interpret it of faithful Men here, ſignified by the Name of Servants, whom he alſo calls the good Seed. Nor is it any Wonder that the ſame Perſons ſhould be called the good Seed, and the Servants of the Maſter, ſince Chriſt ſays of himſelf, that he is* the Gate, and the Shepherd; *for the ſame Thing is repreſented under many different Similitudes for different Reaſons; and the rather here, becauſe when he ſpeaks to the Servants, he doth not ſay,* When the Harveſt comes, I will ſay to you, Gather firſt the Tares: But I will ſpeak, *ſays he,* to the Reapers. *From whence we may infer, that the gathering the Tares to burn them is the Buſineſs of others, and that no Son of the Church ſhould imagine that 'tis an Office belonging to him. When therefore any Perſon begins to be ſpiritual, he perceives the Errors of the Hereticks, and judges and diſcerns every thing that he reads or hears to differ from the Rule of Truth. But until he grows more perfect in theſe ſpiritual Things, and ripens into Fruit as the Seed did, he may be ſurprized how ſo many Falſhoods of the Hereticks ſhould exiſt under the Chriſtian Name. Hence it was that the Servants ſaid,* Didſt thou not ſow good Seed in this Field? Whence then the Tares? *When at laſt he comes to know, that this is owing to the Subtlety of the Devil, who, far from being awed by the Authority of ſo great a Name, covers his own Falſhoods under it, he may have an Inclination to deſtroy ſuch Men out of the World, according as he hath Opportunity. But whether he ought to do this, and whether it be the Duty of Men, he conſults the Juſtice of God, whether he hath commanded or permits it? Hence the Servants ſaid,* Wilt thou that we go and gather them? *To which the Truth it ſelf anſwered: The Condition of Man in this Life is not ſuch, that it can certainly be known, what that Man may afterwards prove, who is now ſeen to be in a manifeſt Error; or how his Error may contribute to the Increaſe of the Good. And therefore ſuch are not to be deſtroyed, leſt whilſt we endeavour to kill the evil, we kill alſo the good, or ſuch as poſſibly may hereafter prove ſo; and leſt we hereby prejudice the good, to whom the other may be, tho' unwillingly, uſeful. But the moſt proper Time for this is, at the End of all Things, when there will be no farther Opportunity of amending the Life, or of advancing in the Truth, by the Occaſion and Compariſon of other Mens Errors. And even then this is to be done not by Men, but by the Angels. Hence*

*it was that the Master answers,* No, leſt gathering the Tares ye pull up alſo the Wheat. But in the Time of Harveſt I will ſay to the Reapers, *&c. And thus he render'd them the moſt patient and calm.*

But afterwards, upon his ſharp and long Diſputes with the *Donatiſts*, tho' he was ſo far of the ſame Mind, as that he was not willing to puniſh them with Death, yet he ſo far altered his Opinion, as that he did not diſapprove of, but was for actually inflicting all Puniſhments, which did not cut off the Hopes of Repentance, *i. e.* all manner, Death only excepted; that being terrified by them, they might be compelled to embrace the orthodox Faith; which he hath ſhewn in a few Words, in his ſecond Book of *Retractations*, c. 5. *I have two Books entitled,* Againſt the *Donatiſts: In the firſt I declared, that I did not approve that ſchiſmatical Perſons ſhould be compelled to Communion by any ſecular Power. The Reaſon was, becauſe I had not then experienced what great Miſchief would ariſe from their Impunity, nor how much Good Diſcipline would conduce to their Converſion.* He argues the ſame more largely in his 48th Letter to *Vincentius*, on Account of the *Rogatian* Hereſy: *My firſt Opinion was, that none was to be forced to the Unity of Chriſt; but that he was to be dealt with by Words, fought with by Argument, overcome by Reaſon, leſt thoſe who once were open Hereticks ſhould become feigned Catholicks. But I changed my Opinion, not from the Contradiction of others, but from demonſtrative Examples. My own City was firſt alledged, which tho' entirely in the Hereſy of* Donatus, *was converted to the Catholick Unity by Fear of the Imperial Laws, and now ſo thoroughly deteſts their pernicious Animoſity, that one would be apt to believe it had never been infected with it. Many other Cities were particularly named to me, ſo that from hence I underſtood the Meaning of what is written,* Give Opportunity to a wiſe Man, and he will be wiſer. *For how many, to our certain Knowledge, were willing to become Catholicks, convinced by evident Truth; but yet deferred it through Fear of offending their Friends? How many were held in Subjection, not to Truth, in which you never had any Concern, but to Obſtinacy of Habit, whereby was fulfilled in them that divine Paſſage,* An evil Servant will not grow better by Words; even though he underſtand, he will not obey. *How many imagined that the* Donatiſts *were the true Church, becauſe Security had render'd them proud, ſloathful and negligent in their Enquiries after the Catholick Truth? How many were prevented, by the falſe Reports of Slanderers, from entring into the Church; who gave out that we placed I know not what upon the Altar of God? How many thought it indifferent to what Party a Chriſtian belonged, and therefore continued* Donatiſts, *becauſe they were born in that Sect, and no one forced them to forſake it, and return to the Catholick Faith? Now the Terror of thoſe Laws, by the Publication of which Kings ſerve the Lord with Fear, was of ſuch Advantage to all theſe, that they ſay, ſome of them: This was what we intended. Bleſſed be God, that hath given us the Occaſion of doing it now, and prevented all farther Delays. Others ſay: This we knew to be true. But we were under an unaccountable Prepoſſeſſion. Bleſſed be God, who hath broke our Bonds in ſunder, and hath brought us to the Bond of Peace. Others ſay: We knew not that the Truth was here, neither were we willing to learn it. But Fear made us diligent in inquiring after it, being apprehenſive, that we ſhould loſe our temporal*

*Enjoyment, without gaining any eternal Bleſſings. Bleſſed be God, who by Fear hath cured us of our Negligence, ſo that thro' Terror we have enquired after, what in a State of Security we ſhould never have been careful to have known. Others ſay: We were afraid to enter thro' falſe Reports, which we could not know to be falſe unleſs we entered. Neither ſhould we have entered, unleſs we had been forced. Bleſſed be God, who hath taken away our Fear by the Rod, and given us to underſtand how vain and lying the Reports are, which have been raiſed of his Church. Hence we believe all thoſe Things to be falſe, which the Authors of this Hereſy have raiſed, ſince their Followers have ſpread much greater Falſhoods. Others ſay: We thought it ſignified nothing of whatever Party we were Chriſtians. But bleſſed be God, who hath brought us from the Schiſm, and ſhewn us that 'tis agreeable to the one God, that he ſhould be worſhipped in Unity. Should I therefore oppoſe my ſelf to my Colleagues in preventing Methods ſo gainful to the Lord, and thereby hinder the gathering into the Sheepfold of Peace, where there is one Flock and one Shepherd, the ſtray'd Sheep of Chriſt, who now wander in the Mountains and Hills, i. e. in the Swellings of their Pride? Ought I to oppoſe ſuch a Proviſion as this, for fear of your loſing the Things you call your own, whilſt if you were free from Fear, you would proſcribe even Chriſt himſelf? Have you a Liberty of making Wills by the* Roman *Law, and ought you to deſtroy by infamous Charges the Will delivered by God to the Fathers, in which 'tis written,* In thy Seed ſhall all Nations be bleſſed? *Should you be allowed to make free Contracts in buying and ſelling, and yet dare to divide amongſt your ſelves what the betrayed Saviour bought for us? Is it juſt that your Donations to others ſhould be valid, and ſhould not what God hath given to his Children be firm, whom he hath called from the riſing of the Sun to the ſetting of it? Can it be unjuſt to baniſh you from the Land of your Body, when you endeavour to baniſh Chriſt from the Kingdom of his Blood, from Sea to Sea, and from the River to the utmoſt Bounds of the World? No: Let the Kings of the Earth ſerve Chriſt, even by making Laws for Chriſt.*

From theſe Words of *Auſtin*, it appears clearer than the Light, that he approved of the Puniſhment ordained by Civil Laws againſt the Erroneous, as that they ought not to make Wills, nor buy and ſell, nor receive Legacies, but that they ſhould be ſent into Baniſhment. And to ſhew that he thought this Puniſhment juſt upon the *Donatiſts* and *Rogatians*, he adds: *The Terror of temporal Powers, when it oppoſes the Truth, is a glorious Trial to the Good and Reſolute, but a dangerous Temptation to the Weak. But when it inculcates the Truth upon the Erroneous and Schiſmatical, to ingenuous Minds it is an uſeful Admonition, but to the Fooliſh it proves an unprofitable Affliction.* There is no Power but what is of God, and he that reſiſteth the Power, reſiſteth the Ordinance of God: For Princes are not a Terror to them that do well, but to thoſe who do ill. Wilt thou not therefore fear the Power? Do well, and thou ſhalt have Praiſe from it. *For if the Power favouring the Truth corrects any one, he who is made better by it hath Praiſe from it: Or if, in Oppoſition to the Truth, it rages againſt any one, he who is crowned Conqueror hath Praiſe from it. But as for thee, thou doſt not well that thou ſhould'ſt not fear the Power.* And to make this appear, he largely refutes his Opinion, and then thinks he hath evinced the

Juſtice of the Perſecution raiſed againſt them. And in the former Part of his Letter, he argues, that they ought to be compelled to return to the Church, not by Reaſon only, but by Terrors. *For*, ſays he, *if they ſhould be terrified, and not taught, it would ſeem to be the Exerciſe of an unjuſt Power over them; and if they were taught, and not terrified, their old Habits would harden them, and they would move more ſlowly into the Way of Salvation.*

The like may be read in his 50th Epiſtle, to *Boniface*, a military Man of *Cæſar*'s Retinue: *A Perſon in a raging Phrenzy can't bear the Phyſician, nor a libertine Son his Father; the one becauſe he is bound, the other becauſe he is chaſtiſed; both becauſe they are loved. But if they neglect them, and ſuffer them to periſh, 'tis a falſe and cruel Mildneſs; for if the Horſe and Mule, who have no Underſtanding, bite and ſtrike at thoſe who handle them to cure their Wounds, who yet, tho' they are oftentimes in Danger, and ſometimes receive Miſchief, don't leave them, till by medicinal Smart and Pains they have made them ſound; how much leſs ought one Man to be given up by another, a Brother by his Brother, leſt he periſh eternally; when after Correction he might be brought to underſtand, how great a Benefit was conferred on him, even when he was complaining of ſuffering Perſecution. Therefore, as the Apoſtle ſays,* Let us do good to all as we have Opportunity; *let thoſe, that can, do it by Diſcourſes of the Catholick Precepts, others by the Laws of Catholick Princes, that all may be called to Salvation, and recovered from Deſtruction, partly by thoſe who obey divine Admonitions, and partly by thoſe who obey the Imperial Commands. When the Emperors make bad Laws in Favour of Falſhood againſt the Truth, true Believers are approved, and thoſe who perſevere are crowned with Victory. But when they ordain good Laws for the Truth, in Oppoſition to Error, the Unruly are terrified, and the Wiſe amended. He therefore who refuſes to obey the Imperial Laws, when made againſt the Truth of God, acquires a great Reward: He who refuſes to obey, when made for Support of divine Truth, expoſes himſelf to moſt grievous Puniſhment. For in the Times of the Prophets all thoſe Kings are blamed, who did not forbid and aboliſh every thing contrary to the divine Precepts, and thoſe who did are highly commended. Even King* Nebuchadnezzar, *when he was a Servant of Idols, made an impious Law, that the Image ſhould be worſhipped. But thoſe who did not obey his wicked Conſtitution, acted piouſly and faithfully. And yet the ſame King, changed by a divine Miracle, made a pious and commendable Law for the Truth; that whoever ſhould blaſpheme the true God of* Shadrack, Meſhack, *and* Abednego, *ſhould be deſtroy'd with his whole Houſe. Thoſe who deſpiſed this Law, and deſervedly ſuffered the Penalty of it, might yet ſay, what theſe do, that they were righteous Perſons, becauſe perſecuted by the King's Law; which they might ſay as well, if they were as mad as thoſe who divide the Members of Chriſt, deſtroy the Sacraments of Chriſt, and yet glory in Perſecution: Becauſe they are forbidden to do theſe Things by the Imperial Laws made for the Unity of Chriſt, they vainly boaſt of their Innocence, and ſeek the Glory of Martyrdom from Men, which they cannot receive from the Lord.* After which he ſubjoins a long Diſcourſe to prove, that all who ſuffer Perſecution are not Martyrs, but ſuch only who ſuffer for Righteouſneſs; and that all Perſecutors are not of the falſe Church. *For* Agar *ſuffered Perſecution from* Sarah; *and yet ſhe who perſecuted was holy, and ſhe who*

*ſuffered Perſecution unholy.* And a little after: *If therefore we will acknowledge the Truth, that is an unjuſt Perſecution, which the Wicked make on the Church of Chriſt, and that a juſt Perſecution which the Churches of Chriſt make on the Wicked. So that the Church is bleſſed which ſuffers Perſecution for Righteouſneſs Sake, and they miſerable who ſuffer Perſecution for Unrighteouſneſs. Beſides, the Church perſecutes, by Love; they, by Rage; ſhe, that ſhe may correct; they, in order to overthrow; ſhe, that ſhe may recal from Error; they, to force others into it. She perſecutes and apprehends Enemies, to cure them of their Vanity, and that they may advance in the Truth; they return Evil for Good, and becauſe we conſult their eternal Salvation, endeavour to deprive us of our temporal Safety.* And afterwards: *'Tis an Inſtance of Mercy to them, becauſe by theſe Imperial Laws, they are ſnatched, tho' againſt their Wills, from that Sect, where they have learnt their Errors from the Doctrines of Devils, that they may be healed by being accuſtomed to ſound Doctrines and Manners in the Catholick Church. For many of thoſe, whoſe pious Fervour of Faith and Charity in the Unity of Chriſt we now admire, give Thanks to God with great Gladneſs, that they are not now in the Error to think thoſe evil Things good; which Thanks they would never have given willingly, unleſs they had been forced unwillingly to depart from that accurſed Society.*

As to the Objection, that the Apoſtles never deſired ſuch Methods from the Kings of the Earth, he anſwers; That none of the Emperors then believed in Chriſt, and therefore could not ſerve him by making Laws for Godlineſs, againſt Impiety. *But afterwards, when that began to be fulfilled, which is written,* All the Kings of the Earth ſhall worſhip him, all Nations ſhall ſerve him, *what Perſon in his Wits could then thus addreſs himſelf to Kings? It doth not concern you, who in your Dominions defends or oppoſes the Church of our Lord, who will be religious or impious. May it not as well be ſaid, It is nothing to you, who in your Dominions is chaſt or lewd? For ſince God hath given to all Men Freedom of Will, why ſhould Adulteries be puniſhed by Law, and Sacrileges permitted? Is the Preſervation of the Soul's Fidelity to God of leſs Importance than a Woman's to her Husband? Or becauſe thoſe Things which are done, not from any Contempt of Religion, but merely thro' Ignorance, are to be more gently animadverted on, are they therefore to be entirely neglected? Who doubts whether it be better to draw Men to the Worſhip of God by Argument, than to compel them with the Fear of Puniſhment or Pain? But doth it follow, that becauſe thoſe who are won by Reaſon are the beſt, that therefore others are to be wholly diſregarded? We can produce many Inſtances to prove, of how great Advantage Compulſion by Fear and Pain hath been, they having been hereby render'd open to Inſtruction, or excited to the Practice of what they have been taught.* And afterwards: *To what Purpoſe do theſe Men cry out, Men are free either to believe, or not believe. To whom did Chriſt uſe Violence? Whom did he force? I produce the Apoſtle* Paul. *Let them own that Chriſt firſt forced, and afterwards taught him; firſt ſtruck, and then comforted him. 'Tis wonderful to conſider, how he, who, forced by bodily Puniſhment, firſt entered into the Goſpel, laboured in it more abundantly than all they, who by the Word only were called to the Belief of it. By how much greater his Fear was that forced his Love, by ſo much the more perfect was his Love that caſt out Fear. Why then ſhould not* N. B.

*the Church compel her loſt Sons to return, ſince theſe loſt Sons have compelled others to their Deſtruction? Eſpecially as the holy Mother more kindly embraces thoſe, who, having been not ſo much compelled as ſeduced, are made to return by terrible tho' wholſome Laws, into her Boſom, and rejoices over them much more than over thoſe ſhe hath never loſt. What, doth it not belong to the Paſtoral Care, to recover thoſe Sheep, when found, to the Lord's Flock, by the Terror of Stripes, or even Pains, if they reſiſt, which having not been violently ſnatched away, have wandered from the Flock, thro' ſoft and gentle Perſwaſion?* And a few Lines afterwards: *Becauſe they cannot ſhew that they are compelled to Evil, they argue, that they ought not to be compelled even to what is good. But we have ſhewn that* Paul *was compelled by Chriſt, ſo that the Church imitates its Lord in compelling thoſe, firſt waiting before ſhe compels any, that the Preaching of the Prophets might be fulfilled with reſpect to the Faith of Kings and Nations. For to this Purpoſe may be underſtood that of bleſſed* Paul, Having in a Readineſs to revenge all Diſobedience, when your Obedience is firſt fulfilled. *Hence alſo our Lord himſelf, firſt commands the Gueſts to be invited, and afterwards compelled to his great Supper. For when the Servants anſwered him,* Lord, it is done as thou commandedſt; and yet there is Room, he ſaid, Go out into the High-ways and Hedges, and compel them to come in. *Now in thoſe who were firſt kindly brought in, is fulfilled the firſt Obedience; in thoſe who are compelled the Diſobedience is revenged. For what is this,* Compel them to come in; *when 'tis firſt ſaid,* Bring in; *and the Anſwer was,* It is done as thou haſt commanded, and yet there is Room? *If he would have it underſtood, of being compelled by the Terror of Miracles, thoſe were done in greateſt abundance, in Behalf of thoſe who were firſt called, eſpecially of thoſe of whom 'tis ſaid,* The *Jews* ſeek Signs. The like may be read in his 204th Epiſtle to *Donatus*, a *Donatiſt* Preſbyter, in which he relates the various Cruelties of the *Donatiſts* and *Circumcellians*, and writes that many were reduced to the Unity of the Church, by the Laws made againſt them. After a long Account of this, he anſwers an Objection of the *Donatiſts*, that the Catholicks coveted and took away their Goods, and ſhews the Falſhood of it. See alſo his 116th Epiſtle to the *Donatiſts*.

From hence we may ſee that *Auſtin* hath very fully taught, and endeavoured by many Arguments to prove, that Hereticks ought to be compelled to return to the Church by external Violence and the Fear of Puniſhments, tho' he was not willing that they ſhould be put to Death. Wherefore he not only writes to *Dulcitius* the Tribune in his 60th Epiſtle: *Thou haſt not received by any Laws the Power of the Sword over them, nor do any of the Imperial Conſtitutions, which thou art intruſted with the Execution of, command thee to put them to Death.* But in his 158th and 159th Epiſtle to *Marcellinus*, and in his 160th to *Apringius*, he largely intercedes to prevent their Death, and *that their Puniſhment might not reach ſo far.* And in his 127th Epiſtle to *Donatus*, Proconſul of *Africa*, he thus writes: *Since there are ſuch terrible Judges and Laws, to prevent their incurring the Puniſhment of the eternal Judgment, we would have them corrected, not deſtroyed: We would not that the neceſſary Diſcipline towards them ſhould be neglected, nor that they ſhould be puniſhed according to their Deſerts. Put ſuch a Re-*

*ſtraint on their Sins, as that there may be ſome to repent that they have ſinned.* So that tho' he intercedes for them that they ſhould not be put to Death, yet the only Puniſhment he would have Hereticks exempted from is Death. Hence in his Epiſtle to *Creſconius* the Grammarian, *b.* 3. *c.* 50. he ſaith: *No good Men in the Catholick Church are pleaſed, that any one, even an Heretick, ſhould be puniſhed with Death.* But as to all other Methods of Perſecution, *Auſtin* is ſo far from being againſt them, that he recommends them, as a Remedy proper for the Extirpation of Hereſies. Hence in his firſt Book againſt *Gaudentius*, c. 5. he ſays: *God forbid that this ſhould be called perſecuting Men, when 'tis only a perſecuting their Vices, in order to deliver them from the Power of them; juſt as the Phyſician treats his diſtemper'd Patient.*

This then is the ſo much admired Clemency of *Auſtin*, that he interceded with the Proconſuls, that the *Donatiſts* ſhould not be puniſhed with Death; whilſt at the ſame Time he not only approved of all other Penalties except Death, ſuch as Baniſhment, the denying them Power to make Wills, to inherit their Patrimony, or to receive what was left them by others, of making Contracts, buying and ſelling, and the like; but he himſelf accuſed them to the Proconſuls, that if they perſiſted in theſe Opinions, they might ſuffer theſe Puniſhments. Who doth not ſee, that under ſuch Circumſtances, Life is ſometimes worſe than Death? And that, as *Arcadius* and *Honorius* decreed with reſpect to the Children of thoſe condemned for Treaſon, Life would be a Puniſhment, and Death a real Relief? 'Tis much more terrible to pine away in Poverty, Baniſhment, and other Miſeries, and then periſh by a lingering Death, than to be killed outright, tho' in a cruel and bloody manner. Yea ſometimes, ſuch hath been the Cruelty of Perſecutors, that they have denied thoſe they have perſecuted, Death, that they might not ſeem to give them the Honour of Martyrdom; whilſt they have invented and exerciſed on them all manner of Miſeries and Tortures, that by the Weight and Length of their Puniſhments, they might force them to a Denial of their Faith. There is no need to produce many Proofs or Examples of this Nature, or to ſearch into Antiquity for Inſtances. I ſhall only produce two freſh ones, one of which now preſents it ſelf to us in *France*. There we ſee that the miſerable Reform'd are not puniſh'd with Death, but given up to the licentious Abuſes of Soldiers, and that they have no End of their Troubles, unleſs they abjure the Reform'd Religion. And yet all the Reform'd unanimouſly agree, they never ſuffer'd a more grievous Perſecution. *Bohemia* will afford us another Inſtance of Perſons forced by the like Cruelty to Apoſtacy. We read in the Hiſtory of the *Bohemian* Perſecution, *c.* 99. that when the Vice Chamberlain of the Kingdom had ſolicited the Inhabitants of the City *Tuſta* in vain to Apoſtacy, and was complaining of their Obſtinacy in the Jeſuits College at *Prague*, one *Martyn de Huerda*, a *Spaniard*, was preſent, and laughed at it, and promiſed to accompliſh the Matter for 500 Pieces of Gold. "Taking with him ſome Bands "of Soldiers, he entered the City, and ſent them by Tens and Twenties to each "Senator, and gave them Liberty to plague them by every Method they could "invent; and by this Means in a little while compelled them all to Apo-

"ſtacy,

" ſtacy, and then received his Reward from the Chamberlain. The ſame " *Martyn*, when others had attempted, in vain, the Reformation, as they cal- " led it, of the City *Kutteberge*, terrified the Citizens by the ſame Means, " till at length they were ſo oppreſſed by Means of the Soldiery, and broken " by their continu'd Perſecutions, that moſt of them complied with their Ene- " mies, and ſubmitted their Necks to the Antichriſtian Yoke; whilſt others, " leaving every Thing behind them but their Wives and Children, went into " Baniſhment." *c.* 93. The like Sort of Reformation we may read, *c.* 97. made in the City *Zaterus*. *Cap.* 103. gives an Account of various Puniſh- ments inflicted, by the Cruelty of which many were forced to Apoſtacy, though not one put to Death. Yea, there is an Account, §. 13. " That " ſome, who begged rather to be put to Death, than compelled to Apo- " ſtacy, were anſwer'd: Cæſar *did not thirſt after their Blood, but the Salva- " tion of their Souls.* The like Requeſt made by others was received with " Laughter. *Ho, Sirrah, Do you want the Honour of Martyrdom? Ye " Wretches, you are unworthy of having any Occaſion wherein to glory.*" From theſe Examples 'tis clearer than Day, that ſome Perſecutions, though not reaching to Death, may be more cruel than Death it ſelf. And though poſſibly ſome Perſon may pretend a Sort of Gentleneſs in all this, yet let him remember what *Bellarmine* juſtly writes, *De Laicis, l.* 3. *c.* 21. That *Au- ſtin* excepts the Puniſhment of Death; *not that he thought they did not deſerve it, but becauſe it became the Clemency of the Church; and becauſe there were, as yet, no imperial Laws: For the law* Quicunque, C. de Hæretici, *was not made till a little after* Auſtin's *Death, ordaining Hereticks to be put to Death.* By which he plainly inſinuates, that he believed that if there had been any im- perial Law, ordaining the Puniſhment of Death to Hereticks, *Auſtin* would have approved of it; for he immediately adds: *That it appears that* Auſtin *thought it juſt to kill Hereticks; becauſe he ſhews, that if the* Donatiſts *were put to Death, they would be juſtly puniſhed,* l. 1. cont. Epiſt. Parmen. c. 7. *and elſewhere.*

If any one will compare theſe Things with the former Opinion of *Auſtin*, he may juſtly cry out, Oh how much is *Auſtin* changed from himſelf, who, mindful of his own former Error, from which he was not recover'd, but by the great Patience of his Friends, was againſt uſing Methods of Cruelty, even towards the *Manichæans*. But now he approves of all Puniſhments againſt the *Donatiſts*, Death only excepted, that they may be compelled into the Catholick Church, even againſt their Wills, under a Pretence that at laſt they may voluntarily remain in her Communion. Now he puts into the Mouths of Perſons theſe forced ſtudied Speeches and Pretences, by which they are taught to palliate their Return into the Church, which was in reality wholly owing to Violence and the Fear of Puniſhment, as though it had been voluntary, and the very Means of their Salvation. But let us ſup- poſe, that they believe themſelves obliged by Virtue of a divine Command to preach their Doctrine, leſt they ſhould diſobey God; and that therefore they ought to return into their own Country to propagate it: What would good

St.

St. *Auſtin* determine againſt them in ſuch a Caſe? Why, all his Arguments tend to this, that if they ſhould return, contrary to the imperial Edict, he ſhould not at all diſapprove a capital Puniſhment, if it was ſo appointed by the Laws.

And indeed, all who ſince *Auſtin* have taught that Hereticks are to be perſecuted, and even puniſhed with Death, have made Uſe of no Authority more than *Auſtin*'s; and to ſhew how highly they eſteem his Authority, they uſe his Arguments as the very ſtrongeſt, though in themſelves abſurd, and manifeſtly contrary to Scripture, to defend a Doctrine ſo abſolutely repugnant to the Nature of Chriſtianity. From him they have borrowed the Diſtinction, that it is unlawful for Hereticks to perſecute the Church, but the Duty of the Church to perſecute Hereticks. This is now become the common Exception of all the Murderers of Hereticks, with which every one armed with the ſecular Power, under a ſpecious Pretence, perſecutes and oppreſſes thoſe who differ from him: This is the principal Argument by which the Papiſts defend themſelves, when they would juſtify their own Perſecution of Hereticks, and condemn all others that perſecute them. And which is the Wonder, they commend as praiſe-worthy and heroical what is practiſed by their own Church againſt others, even when they condemn the ſame Things as cruel and inhumane in them; as though they were exempted from the common Law of Nature, of doing to others as they would be done by. *Conrad Brunus* complains of the Hereticks and Schiſmaticks, that the *Vandals* and *Donatiſts* in *Africa*, turned and executed all the Laws made againſt Hereticks upon the Catholicks. *Theſe*, ſays he, *the Hereticks alſo of our Time imitate*: In this indeed they are worſe than they; *becauſe they denied thoſe Laws were ever made againſt themſelves; whereas our modern Hereticks affirm they were made, and ought to be executed againſt the Catholicks, as may eaſily be ſeen from many of their Writings.* In the ſame Book he complains: *That the Hereticks ſpare neither Age, nor Sex, nor Degree, nor Dignity; but rage promiſcuouſly againſt Children and grown Perſons, Women and Men, Virgins and Married, old Men and young.* He adds, c. 13. *'Tis cruel and moſt inhumane to abuſe the Dead: But this is peculiar to our Hereticks and Schiſmaticks. They conceal the Bodies of Biſhops and Presbyters, Women and Virgins, whom they have barbarouſly killed, and deny them Burial. The Bodies of ſome they have taken out of their Graves, and caſt upon the Ground; others have contemptuouſly ſcattered into the Air the Aſhes of thoſe whom they have burnt, and thrown the Bodies of ſome into Rivers.* If any one conſiders the Decretals of the Popes, the Inſtructions of the Inquiſition, and the uſual Manner of proceeding in it, in which there is no Diſtinction of Perſons; but all are ſubjected to the Inquiſition without Reſpect to Age, Sex or Dignity, which not only forbids the burying dead Hereticks, but annexes a Puniſhment to thoſe who bury them; and oftentimes commands their dead Bodies to be taken up, and to be either thrown upon Dunghills, or reduced to Aſhes, and their Aſhes ſcatter'd in the Air, as ſhall be hereafter more largely ſhewn: I ſay, if any one conſiders theſe Things, he might well think *Brunus* to be in jeſt; unleſs he was of *Auſtin*'s Opinion, that the Church might

B. 2. c. 8. §. 3.

*Trip.* l. 2. c. 3.

*Pope* Leo, Ep. 73.

do

do againſt Hereticks what it would not be lawful for Hereticks to do againſt the Church: Which Doctrine once allow'd, every one will decide for himſelf, that his is the true Church, and hence claim a Right of perſecuting others, and perſwade himſelf he doth not act unjuſtly, even though he would not allow others to act ſo by himſelf. Thus we ſee, that Chriſtians by this idle Doctrine, are deviated from their original Simplicity and Meekneſs; and that in the room of mutual Love, by which all the Faithful were of one Heart and one Soul, there have ſucceeded in the Church of Chriſt, not only Diſcords, Contentions, Hatreds and Enmities, but Slaughters, and the worſt of cruel Butcheries.

But ſurely they ought to conſider, that they cannot without Injuſtice, do to others what they think it would be unjuſt in others to do to them; and that therefore as they would not themſelves be perſecuted by others, it muſt be unjuſt in them cruelly to perſecute others, even though they think them Hereticks. For as *Salvian*, Presbyter of *Marſeilles*, admirably writes in his Treatiſe of the Government of God, *B.* 5. *p.* 150, 151. *They are Hereticks, but not willingly. They are Hereticks in our Account, but not in their own. For they judge themſelves to be ſo very good Catholicks, that they give us the infamous Name of Hereticks: So that juſt what we think of them, they think of us. We know they do an Injury to the only begotten Son of God, becauſe they affirm him to be leſs than the Father. They think we derogate from the Father's Honour, becauſe we make the Son equal to him. The Truth is with us; they imagine it to be with them: We truly honour God; they think that their Opinion is moſt honourable to God. They are defective in their Duty; but believe that this is the chief Duty of Religion. They are Impious; but think it to be true Piety: Though therefore they err, they err with an honeſt Mind, not from Hatred but real Affection to God, and believing that they honour and love the Lord. Though they have not true Faith, they eſteem even this to be the moſt perfect Love of God. How they ſhall be puniſh'd in the Day of Judgment for this Error in Opinion, no one knows but the Judge. And therefore I think God patiently bears with them, becauſe he ſees that though they do not believe aright, yet that they err from a real Love to Piety and Truth,* &c. But the Minds of Chriſtians have been perverted from this Branch of Equity through the Prevalence of Self-love; ſo that when they could prevail with the Civil Power to aſſiſt them, they have pronounced all that differed from them Hereticks, and then exerciſed all Kinds of Cruelty againſt them.

CHAP.

## CHAP. VII.

### *The* PERSECUTIONS *of the* POPES *againſt* HERETICKS.

IN the following Ages the Affairs of the Church were ſo manag'd under the Government of the Popes, and all Perſons ſo ſtrictly curbed by the Severity of the Laws, that they durſt not even ſo much as whiſper againſt the received Opinions of the Church. Beſides this, ſo deep was the Ignorance that had ſpread it ſelf over the World, that Men, without the leaſt Regard to Knowledge and Learning, received with a blind Obedience every Thing that the Eccleſiaſticks order'd them, however ſtupid and ſuperſtitious, without any Examination; and if any one dared in the leaſt to contradict them, he was ſure immediately to be puniſh'd; whereby the moſt abſurd Opinions came to be eſtabliſh'd by the Violence of the Popes. 'Twas at this Time that the Doctrine of Tranſubſtantiation was introduced into the Church, now, in every Thing, ſubject to the Pope's Beck; and how dangerous it was to oppoſe it, we may learn from the Inſtance of *Berengarius* of *Tours*, Archdeacon of *Angiers*, who, teaching that the Bread and Wine in the Supper, was only the Figure of the Body and Blood of the Lord, was condemn'd as an Heretick, by *Leo* IX. in a Synod at *Rome* and *Vercellæ*, in the Year 1050, and five Years after, *viz.* 1055. was forced to recant, and to ſubſcribe with his own Hand to the Faith of the *Roman* Church, and confirm it with an Oath, by *Victor* II. in the Council of *Tours*. But as *Berengarius* his Recantation was forced; and as he afterwards defended that Opinion, which in his Heart he believed, *Nicolaus* II. called a Council at the *Lateran*, *Anno* 1059. and there again condemn'd *Berengarius*, and compell'd him to make a ſolemn Abjuration, which *Berengarius* publickly read, and ſign'd with his own Hand. This was that famous Abjuration, which begins, *Ego Berengarius*. Thus was the Truth ſuppreſſed by the Papal Violence. In the *Eaſt* alſo, *Anno* 1118. one *Baſilius*, the Author of the Sect of the *Bongomili*, was publickly burnt for Hereſy by the Command of *Alexius Comnenus* the Emperor, as *Baronius* relates, *Anno* 1118. §. 27.

In the mean Time the Power of the *Roman* Pontiff grew to a prodigious Height, and began to be very troubleſome, even to the Emperors themſelves; for not content with the Eccleſiaſtical Power, they claimed alſo the Subjection of the Secular. But in the midſt of this thick Darkneſs, ſome Glimmerings of Light broke forth through the great Mercy of God.

For after the Year of Chriſt, 1100. there aroſe various Diſputes between the Emperors and Popes, about the Papal Power in ſecular Affairs, which, as they were managed with great Warmth, gave Occaſion to many more ſtrictly to examine that unbounded Power which the Popes of *Rome* claimed to themſelves. Some of the Emperors bravely maintained their Rights againſt the Papal Encroachments, and were ſupported, not only by the Arms and Forces of Generals

and Princes, but by Biſhops and Divines, who ſtrenuouſly wrote in their Defence. This ſpirited up many others to oppoſe that unbounded Authority, which the Popes aſſumed in Matters of Faith, who not only argued that they were capable of erring, as well as the other Biſhops, but actually pointed out and cenſured their many Errors and Abuſes of their unlimited Power: All theſe the Court of *Rome* branded with the infamous Name of Hereticks, and would have made the Sacrifice to the publick Hatred.

They appeared firſt in ſome Parts of *Italy*, but principally in the *Milaneze* and *Lombardy*: And becauſe they dwelt in different Cities, and had their particular Inſtructors, the Papiſts, to render them the more odious, have repreſented them as different Sects, and aſcribed to them as different Opinions, though others affirm they all held the ſame Opinions, and were entirely of the ſame Sect. The Truth is, that from the oldeſt Accounts of them we ſhall find, that they did not all hold the ſame Tenets, and were not of the ſame Sect; though neither their Opinions nor Sects were ſo many and different as the Papiſts repreſent. The Principal of them were *Tanchelinus*, *Petrus de Bruis*, *Petrus Abailardus*, *Arnaldus Brixianus*, whoſe Opinion *Baronius* calls the Hereſy of the Politicians, *Hendricus*, and others, who preached partly in *Italy*, and partly in *France* about the Country of *Tholouſe*; and becauſe afterwards the greater Number of them propagated their Opinions in the Province of *Albigeois*, in *Languedoc*, and gather'd there large and numerous Churches, who openly profeſſed their Faith; they were ſtiled *Albigenſes*.

## CHAP. VIII.

### *Of the* ALBIGENSES *and* VALDENSES.

ABOUT the ſame Time the *Valdenſes*, or the poor Men of *Lyons*, appeared at *Lyons*, whoſe Original hath been largely ſhewn by the moſt Reverend and Learned *Uſher*, Archbiſhop of *Armagh*, in his Book *De Succeſſione*, &c. *ch.* viii. I ſhall therefore only enquire, whether the *Valdenſes* and *Albigenſes* were the ſame People, according to the common Opinion of Proteſtants, or different from one another. It cannot be doubted but that they had ſome Opinions in common. But there is nothing more evident, than that there was amongſt them a great Variety of Doctrines, and Difference of Rites and Cuſtoms, as appears from the Book of the Sentences of the Inquiſition at *Tholouſe*, which I have publiſh'd, in which are to be found many of the Sentences pronounced againſt the *Albigenſes* and *Valdenſes*, which diſcover ſome very curious and uncommon Things, concerning their Doctrines and Rites; and which are ſuch evident Proofs of their difference in Opinions and Cuſtoms, that from the reading of a few Lines, one may eaſily know whe-

ther the Sentence pronounced was againſt the *Albigenſes* or *Valdenſes*; which manifeſt Difference hath induced me to believe that they were two diſtinct Sects; though I have hitherto been in the common Opinion, that they were but one. And that this may appear more clearly, I ſhall here give out of the Book of Sentences, the Doctrines common to both, and thoſe in which they differ'd, and deſcribe their particular Rites and Cuſtoms.

The Opinions common to them both were theſe: *Every Oath is unlawful and ſinful*; and therefore they would never, upon any Occaſion, take an Oath. *fol.* 39. *b.* *fol.* 96.

Concerning *Penance and the Confeſſion of Sins:* The *Albigenſes* are ſaid to believe, *That Confeſſion made to the Prieſts of the Church of* Rome, *ſignifies nothing: That neither the Pope nor any other of the Church of* Rome *can abſolve any one from his Sins; but that they have the Power of Abſolving from their Sins, all thoſe who become of their Sect, by the Impoſition of Hands.* *fol.* 40.

Almoſt the ſame Things are aſcribed to the *Valdenſes*, that they teach, *That they have Power from God only, even as the Apoſtles had, of confeſſing Men and Women of their Sins, who believe them, and are willing to confeſs to them: That they hear their Confeſſions, and enjoyn them Penance for their Sins; although theſe who hear their Confeſſions, are not ordained by the Church, are not Prieſts or Clerks, but Laicks only; and though they confeſs that they have not, in the leaſt, received this Power from the Church of* Rome. And farther, in moſt of the Sentences againſt the *Valdenſes*, we find, *That they confeſſed their Sins to one of the* Valdenſes, *and received Abſolution and Penance from him, and believed that the ſaid Confeſſion and Abſolution, and Penance, as much avail'd to the Salvation of the Soul, as though they had been confeſſed to a proper Prieſt.* But their Doctrine is beſt underſtood by the Sentence of *Hugueta*, the Wife of *John*, of *Vienna: That God only can abſolve from Sins; and that he who receives Confeſſion, can only adviſe what a Man ought to do, and enjoin Penance; and that a wiſe and prudent Perſon may do this, whether he be a Prieſt or not.* *fol.* 96. *fol.* 147.

As to the Church of *Rome*, the *Albigenſes* are ſaid to believe, *That there are two Churches, one merciful*, viz. *theirs and the Church of Chriſt; which retains that Faith, in which every one, and without which no one can be ſaved: The other a cruel one*, viz. *The Church of* Rome, *which is the Mother of Fornications, the Temple of the Devil, and Synagogue of Satan; and that no one can be ſaved in the Faith of that Church.* And elſewhere we read, *That no Man can be ſaved, that is not received by them, and unleſs he die of their Sect.* *fol.* 40. *fol.* 3.

The *Valdenſes* are ſaid to have taught almoſt the ſame Things: *That they are not ſubject to the* Roman *Pontiff, nor to the Prelates of the Church of* Rome: *That they cannot be excommunicated by the Pope, nor the other Prelates of that Church: That they ought not to obey the Pope, when he commands them to forſake and abjure their Sect, as condemned by the Church: That the Church of* Rome *ſins, and acts unlawfully and unjuſtly againſt them, becauſe it perſecutes and condemns them.* And that they farther taught, *That the Prelates of the Church of* Rome, *are blind Leaders of the Blind; do not preſerve the Truth of the Goſpel, nor imitate the apoſtolick Poverty; and that the very Church of* Rome *is an Houſe of Lies.* *fol.* 96. *fol.* 128. *b.*

The Opinions that are aſcribed to the *Albigenſes*, but never to the *Valdenſes*,
*fol.* 40. are theſe: *That there are two Gods and Lords; the one good, the other evil. That the Creation of all Things, viſible and corporeal, was not from God our heavenly Father, and the Lord Jeſus Chriſt, but by the Devil and Satan, the evil God, who is the God of this World, and the Maker and Prince of it:* Which
*fol.* 68. they expreſs elſewhere in this Manner: *That it was not God that cauſed the Earth to yield Seed and bring forth Fruit.* And elſewhere: *That the good God made all Things inviſible and incorruptible; and that the evil Prince,* viz. Lucifer, *made all Things viſible and corruptible, and even humane Bodies.*
*fol.* 120. *b.* And in another Place: *That there were two Gods, one good, the other bad; and that the bad God created all Things viſible.*

Since theſe Things are to be met with in the Sentence of *Petrus Auterius*, one of their famous Doctors, I am apt to think, not only that ſome of the *Manichæans*, who were baniſhed from *Aſia*, and came into *Bulgaria*, and afterwards went into the Country of *Tholouſe*, lurked amongſt them; but that they had, many of them at leaſt, embraced the *Manichæan* Opinions. And indeed, we ought not to conceal the Truth. For although they are to be commended for having diſcover'd many of the *Romiſh* Errors in Doctrine, and for their forſaking the Communion of that Church; yet we ought ingenuouſly to own their Miſtakes. And as their recommending to thoſe they received into their Communion, what they called the *Endura*, *i. e.* faſting themſelves to Death, was certainly an Error in Practice; ſo that we need not be aſhamed to own that they ſometimes erred in Matters of Faith. 'Tis rather to be wonder'd at, that in ſo barbarous an Age, they ſhould throw off ſo many Errors, than that they ſhould retain ſome.

But beſides, they are ſaid alſo to have held the following Opinions.

*fol.* 40. That all the Sacraments of the Church of *Rome* are vain and unprofitable, *viz.* The Euchariſt, Baptiſm, Confirmation, Order, and extreme Unction.

*fol.* 39. *b.* As to the Euchariſt, they are reported to have believed, *That there was*
*fol.* 120. *b.* *not the Body of Chriſt, and that there was nothing but meer Bread.*

*fol.* 120. *b.* As to the Baptiſms: *That they condemned the Baptiſm of Water, ſaying: That a Man was to be ſaved by their laying on of Hands upon thoſe who believed them;*
*fol.* 68. *a.* *and that their Sins were to be remitted without Confeſſion and Satisfaction: That no Baptiſm availed any Thing; no, not their own.* We read alſo in the Sentence of *Petrus Raymundus Dominicus de Borno*, that he heard *Peter Auterii* teach-
*fol.* 176. ing, amongſt other Things, *That the Baptiſm of Water, made by the Church, was of no avail to Children; becauſe they were ſo far from conſenting to it, that they wept.*

*fol.* 3. As to extreme Unction: *That the Order of St.* James, *or extreme Unction upon the Sick, made by material Oil, ſignified nothing; and that they prefer Impoſition of Hands, which the Inquiſitors call execrable.*

*fol.* 3. As to Orders: *That they reproach and condemn the Conſtitution of the whole Church of* Rome, *and deny all the Prelates of it the Power of Binding and Looſing; ſaying: That they cannot looſe or bind other Sinners, ſince they themſelves are greater*

*Sin-*

*Sinners; but that they can give to those they receive, the Holy Spirit, in order to their Salvation.*

As to Matrimony: *That it is always sinful, and cannot be without Sin; and was never appointed by the good God.* fol. 40. Also: *That carnal Matrimony between a Man and Woman, is not true Matrimony, nor good, nor lawful, nor appointed by God; but a quite different spiritual Matrimony.* fol. 82. b.

As to the Incarnation of Christ: *That the Lord did not take a real humane Body, nor real humane Flesh of our Nature; and that he did not really arise with it, nor do other Things relating to our Salvation; nor sit down at the Right-hand of the Father with it, but only with the Likeness of it.* fol. 40. They affirm also: *That the most holy Virgin* Mary, *the Mother of our Lord, neither is, nor was a carnal Woman, but their Church, which they say is true Penitence; and that this is the Virgin* Mary. Or as we read elsewhere: *That God never enter'd into the Womb of the blessed Virgin* Mary; *and that he only is the Mother, and Brother, and Sister of God, that keeps the Commands of God the Father.* fol. 82. b. Likewise, that *is was impossible for God to be incarnate; because he never humbled himself so much, as to put himself in the Womb of Woman.* fol. 120. b.

Concerning the Resurrection of the Dead: They are charged *with denying the Resurrection of Bodies.* fol. 120. b. Or: *There will be no future Resurrection of humane Bodies; and altho' the Souls of Men shall come to Judgment, they shall not come in their Bodies.* fol. 146. Which is elsewhere more distinctly explain'd: *That they imagine a Sort of spiritual Bodies, and a Sort of an inward Man; in which Bodies Persons are hereafter to rise.* fol. 40. One of the *Albigenses* is said to have believed, that *when the Souls of wicked Men are gone out of their Bodies, before and after Judgment, they go through* los Bausses, *and* los Tertres, *i. e. over Rocks and Precipices; and that the Devil throws them headlong from the Rocks.* fol. 146. Also, *That the Souls of Men, even after their Separation from the Body, have Flesh and Bones, Hands and Feet, and all Members; which though they are thrown by Devils headlong from the Rocks, and by this Means tormented, yet can never die.*

As to the Adoration of the Cross: *That no Man ought to adore the Cross:* fol. 68. Which in another Place is very odiously represented, *viz. That the Sign of the holy Cross, which the universal Church worships as the Emblem of our Salvation, and the Representation of our Lord's Passion, is a detestable Emblem of the Devil.* fol. 3. And the Reason of this is added elsewhere: *That the Cross of Christ ought not to be adored; because no Man worships the Gallows upon which his Father was hanged.* fol. 176.

As to the humane Soul: *That Souls were Spirits banished from Heaven because of their Sins.* fol. 120. b.

These are said to be the Principles of the *Albigenses*, and they will all appear in the Sentence pronounced against *Stephana de Proaudo*, which I shall here give at large, from the Book of the Sentences of the Inquisition at *Tholouse*.

" In the Year of our Lord 1307, the 5th of the Nones of *March*, and first " Sunday in *Lent*, We the before-mention'd Inquisitor and Vicars. Whereas " it most evidently and lawfully appears to us, by thy wicked Assertions, that

" thou

" thou *Stephana de Proaudo*, formerly Wife of *Peter Gilbert*, being infected " with the peſtiferous Doctrines of Hereticks, doſt aſſert and confeſs into- " lerable and abominable Errors, contrary to the Catholick Faith of the ho- " ly *Roman* Church, denying, with profane Lips, that the Incarnation of our " Lord *Jeſus Chriſt* hath been or is from the Woman, and that there is to be " a Reſurrection of human Bodies, attributing the Creation of viſible Things " to the Devil, whom thou aſſerteſt to be the Prince of this World, thereby " denying the Creation to be from the Almighty God. And thou doſt re- " proachfully diſown, deny and condemn, acccording to the Error of heretical Impiety, all the ſeven Sacraments of our Salvation, *viz.* Baptiſm by " corporal Water, and adminiſter'd to Children. Likewiſe the Sacrament of " the holy Body and Blood of our Lord *Jeſus Chriſt* from Bread and Wine up- " on the Altar. And the Confeſſion of Sins made to the Prieſts of the *Roman* " Church, to whom thou denyeſt the Power of binding and looſing. Likewiſe " the Sacrament of carnal Matrimony, which thou aſſerteſt and affirmeſt can- " not be without Sin, according to the Doctrine of thoſe Hereticks. Thou " alſo reproacheſt and blaſphemeſt our holy Orders, by preferring the damn- " ed and profane Order of Hereticks. Thou ſayeſt that the Order of St. " *James*, or extreme Unction of the Sick with material Oil, profits no- " thing, preferring to it the execrable Impoſition of Hands, which they " call Spiritual Baptiſm, or the Conſolation, or Reception, and good End. " Thou alſo approveſt and commendeſt, doſt defend and ſuſtain, the Life, " Sect and Faith of the ſaid Hereticks, and impiouſly aſſerteſt and declareſt, " that there is no Salvation to any unleſs he be received by them, and die in " their Sect. Likewiſe thou aſſerteſt and affirmeſt, that the Sign of the holy " Croſs, which the whole Church adores as the Sign of our Salvation, and a " Repreſentation of our Saviour's Paſſion, is the deteſtable Sign of the " Devil. Likewiſe thou reproacheſt and condemneſt the State of the " whole *Roman* Church, and denieſt the Power of binding and looſing in " all the Prelates of the *Roman* Church, ſaying, that they cannot bind " and looſe other Sinners, ſince they are greater Sinners themſelves; " and thou aſſerteſt that thoſe Hereticks, whom thou calleſt and affirm- " eſt to be good Men, can give the Holy Spirit for Salvation to thoſe " whom they receive, and ſayeſt that they are Imitators of the Apoſtle, lead " their Life, and are of their Sect, and ſayeſt and atteſteſt many other erro- " neous and falſe Things, according to the Premiſſes, as we our ſelves have " heard them with our Ears ſeveral Times from thy own Mouth, in the Pre- " ſence of many Perſons. Likewiſe we have heard from thee, many others " being preſent and hearing alſo, that thou haſt ſeen and heard, in their turn, " ſeven perfect Hereticks in *Tholouſe*, viz. *Peter Raimondi de Sancto Papulo*, " and *Meſſier Bernart de Monte Acuto*, and *Peter Auterii*, and *James* his Son, " and *William Auterii*, Brother of the ſaid *Peter*, and *Aucelius* and *Andrew*, " and haſt ſeen an eighth Heretick in the Way, whom thou nameſt *Philip*. " Likewiſe thou haſt confeſſed before the ſaid Inquiſitor, that thou haſt ado- " red the ſaid Heretick *James* after an heretical Manner. Upon all which Er-

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" rors and Hereſies thou haſt been frequently admoniſhed, and exhorted by " Reaſons and Authorities of holy Scripture, and beſought by ſweet Words in " the Lord, as well by me the aforeſaid Inquiſitor, and the Vicars, as by many " religious Perſons, Predicants and Minors, and other Orders, and by other " good Men of the Clergy and Laity in the City of *Tholouſe*, and even by " thy own Parents, that thou would'ſt forſake the aforeſaid Errors, and " with a good and pure Heart would'ſt return to holy Mother the Church " of *Rome*, without which there is no Salvation, and wouldſt abandon that " deteſtible heretical Sect, which leads Souls to Damnation, and infernal De- " ſtruction. But thou would'ſt not hitherto acquieſce, nor, tho' long waited " for, be converted to the Catholick Faith, but even yet perſevereſt in thy " ſaid Obſtinacy with an harden'd Mind. Therefore with the Advice of good " Men, ſkilful in the Canon and Civil Law, and of many religious Perſons, " that ſuch a ſcabbed Sheep may not infect the ſound Sheep of the Lord's " Flock, having God before our Eyes, and not being able to bear ſuch " Blaſphemy and Scandal to the Faith, and the Name of our Lord *Jeſus* " *Chriſt*, and having peremptorily aſſigned to thee this preſent Day, to hear " thy definitive Sentence, and laying the holy Goſpel before us, we do ad- " judge thee to be an Heretick, and as ſuch leave thee to the ſecular " Court.

Theſe Opinions of the *Albigenſes* are not one of them aſcrib'd to the *Valdenſes*, who had quite different Tenets, which are never mentioned in the Sentences of the *Albigenſes*. They are ſuch as theſe:

*That all Judgment is forbidden by God, and that of Conſequence 'tis a Sin, and contrary to what God hath forbidden, for any Judge to condemn any Man to Puniſhment or Death, in any Caſe, or for any Cauſe whatſoever. And for this they apply theſe Words of the Goſpel,* Judge not that ye be not judged. *fol.* 96.

*That the Indulgences given by the Prelates of the Church of* Rome *are of no avail; That there is no Purgatory for Souls after this Life; and that the Prayers and Vows of the Faithful for the Dead cannot profit them.* This is elſewhere more diſtinctly explained: *That this Life is the only Purgatory and Place for Repentance for Sins; and that when the Soul goes from the Body, it goes either to Paradiſe or Hell; and that therefore the* Valdenſes *make no Prayers or Vows for the Dead, becauſe, ſay they, thoſe who are in Paradiſe do not need them, and thoſe that are in Hell cannot reap any Advantage by them.* *fol.* 96. *fol.* 92.

*That in the Church there are but three Orders, viz. of Biſhops, Prieſts, and Deacons.* It is imputed to them alſo as a Crime, that tho' they were Laymen, they preached from the Goſpels, Epiſtles, and other Books of the holy Scriptures; whereas the Preaching and Expoſition of the Scripture is entirely forbidden the Laity. All theſe Things will appear more plain from a Sentence paſſed on one of the *Valdenſes*, which I ſhall here inſert, out of the Book of the Sentences of the *Tholouſe* Inqu. *fol.* 128. *fol.* 146. *b.* *fol.* 128. *b.*

" In the Name of our Lord *Jeſus Chriſt*, Amen. We the foreſaid Inquiſi- " tors of heretical Pravity, and delegated Commiſſaries of the venerable Per- " ſons, the Vicars General and Chapter of the Church of *Aix*, during the Va-

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" cancy of the See. Whereas it evidently and legally appears to us, as
" well by the Inquiſition made in general againſt all who are infected with
" heretical Pravity, and by the Publick Acts and Proceſs of the ſaid Inquiſi-
" tion, as well as by thy Anſwers, and Aſſertions, and proper Confeſſions
" made in Judgment, that you *John Chauoat*, Son of *Peter Chauoat*, of the
" Village of *Mulſia*, near *Urgeletum*, in the Dioceſe of *Beſancon*, uſually dwel-
" ling at *Vienne* in the Dioceſe of *Aix*, was long ſince taken up, and have been
" found by Proceſs, to be of the Sect and Hereſy of thoſe, who are called *Val-*
" *denſes*, or poor Men of *Lyons*; which Sect and Hereſy the holy *Roman*
" Church hath many Years ago condemned as heretical, and hath perſecuted
" and condemned the Followers and Profeſſors of it as Hereticks; which Sect
" thou haſt held and maintained for nine Years paſt, participating and com-
" municating with the *Valdenſes*, knowing them to be ſuch, by eating and
" drinking according to their Manner, praying with them on your bended
" Knees, by hearing their Words and Preachings which they make in their
" Conventicles to their Believers, and by receiving them in thy Houſe, and
" alſo by often confeſſing thy Sins to them, and humbly receiving from them
* *Meliora-mentum.* " Abſolution and Penance, which they call the * Amendment; and whereas
" being apprehended, and at the Beginning, being judicially required, would'ſt
" not ſwear, but didſt ſeveral Times refuſe to abjure the ſaid Sect and Hereſy,
" affirming that you believed it to be good, and that the Followers of it were
" good Men, and might be ſaved in it. And finally, whereas you have feign-
" edly and falſly ſaid with your Mouth, but not with your Heart, that you
" would depart from it, and abjure it, and haſt in Word but not with the
" Heart judicially abjured it; of which Feignedneſs and Falſhood, and the
" Doubleneſs of thy Heart there is legal Proof, by thoſe Things which you
" have plainly and fully ſince recognized, aſſerted and confeſſed in Judgment.
" And farther, whereas you have manifeſted your Treachery after your
" feigned tho' judicial Abjuration of the ſaid Sect and Hereſy, by having de-
" nied, and ſtill denying with an obſtinate Mind, tho' oftentimes required in
" Judgment, to ſwear that you would ſpeak the Truth, and doſt as before,
" and much more evidently, approve and commend the Errors and Hereſies
" of the ſaid Sect, and aſſerteſt, that the Followers of it are juſt and good
" Men; and that the Prelates of the *Roman* Church, and the Inquiſitors
" of heretical Pravity, who perſecute them, do unjuſtly and unrighteouſly,
" in apprehending and detaining them, becauſe unwilling to forſake the ſaid
" Sect, and by delivering them over to the ſecular Power. Particularly,
" whereas the erroneous Followers and profane Profeſſors of the Sect and He-
" reſy of the *Valdenſes* hold and affirm, that they are not ſubject to our Lord
" the Pope, or the *Roman* Pontiff, or to other Prelates of the Church of
" *Rome*, becauſe it unjuſtly perſecutes and condemns them. *Item*, They
" aſſert that they cannot be excommunicated by the ſaid *Roman* Pontiff and
" Prelates, and that no one of them is to be obey'd, when they order and
" command the Followers and Profeſſors of the ſaid Sect to deſert and ab-
" jure it, altho' condemn'd as heretical by the *Roman* Church. *Item*, The

" foreſaid Sect and Hereſy, and Followers and Profeſſors of the ſame, hold " and dogmatize, that every Oath, without Exception or Expoſition, is pro- " hibited of God, and is unlawful, and a Sin; and this we have heard from " your own Mouth, that you ſo believe and hold, by applying to this Pur- " poſe the Words of the holy Goſpel, and of St. *James* the Apoſtle, of not " Swearing, tho' in a mad and miſtaken Senſe: Whereas, according to the " ſound Doctrine of the Saints, and Doctors of the Church, and Tradition " of the ſaid Holy Catholick Church, 'tis not only lawful but neceſſary to " ſwear for atteſting the Truth in Judgment, and alſo by a Statute long " ſince publiſhed againſt the foreſaid Error, 'tis appointed, that thoſe who " by a damnable Superſtition refuſe an Oath, and will not ſwear, ſhall be for " this Reaſon declared Hereticks, and ſubjected to the Penalties ordered by " the Canon. *Item*, Thou thy ſelf haſt oftentimes, and before many of us, " being canonically and judicially required to ſwear for the Truth, wholly " refuſed to ſwear, and yet refuſeſt it, aſſerting that you believe that 'tis " prohibited by God, and unlawful, and a Sin to ſwear at all. *Item*, From " the ſame Fountain of Error, and miſtaken Underſtanding, the foreſaid Sect " and Hereſy aſſerts, that all Judgment is prohibited of God, and by Conſe- " quence that 'tis a Sin, and againſt the divine Prohibition, that any Judge, " in any Caſe, or for whatſoever Cauſe, ſhould judge any Man to bodily Pu- " niſhment, or to Death; applying, without a proper Expoſition, the Words " of the holy Goſpel, where it is written, *Judge not, that ye be not judged*; Item, " *Thou ſhalt not kill*, not underſtanding nor receiving them as the holy *Roman* " Church underſtands and delivers them to the Faithful, according to the " Doctrine of the Fathers and Doctors, and canonical Sanctions; which ſaid " Sanctions the ſaid Sect, departing from the right Path, neither receives nor " accounts valid, but deſpiſes, renounces, and condemns. *Item*, Moſt per- " niciouſly erring about the Sacrament of true Penance, and the Keys of " the Church; they ſay, and teach, and hold, that they have Power from God, " as the Apoſtles had, of hearing the Confeſſions of the Sins of all that are " willing to confeſs, and of abſolving and enjoining Penances: And they do " hear the Confeſſions of ſuch, and enjoin thoſe who confeſs to them Pe- " nances for their Sins, tho' they are not ordained Clerks or Prieſts by any " Biſhop of the *Roman* Church, but are mere Laicks, and confeſs they have " not any ſuch Power from the *Roman* Church, but rather deny it, and in- " deed have it not from God, nor from his Church, ſince they are with- " out the Church, and cut off from the Church, out of which there is no " true Penance or Salvation. *Item*, Thou thy ſelf haſt confeſſed in Judg- " ment, that long ſince thou haſt confeſſed thy Sins ſeverally to four of " the *Valdenſes*, viz. *John Moran*, *Peter de Cernone*, *John Brayſſan*, and *Ste-* " *phen Porcherii*, and haſt received Penance from them, knowing them to be " *Valdenſes*, and that they were not Prieſts ordained by any Biſhop of the *Roman* " Church. *Item*, The foreſaid Sect and Hereſy of the *Valdenſes* make a Jeſt " of the Indulgences which are granted by the Prelates of the Church, aſ- " ſerting that they are not valid. *Item*, It denies that there is after this Life

" any Purgatory for Souls, and of Conſequence that Prayers, and Alms, " and Maſſes, and other Vows of Piety, which are made by the Faithful " for the Dead, can at all profit them. *Item*, Detracting from the Prelates of " the Church of *Rome*, they deny and condemn their State, ſaying, that they " are blind, and Leaders of the Blind, and that they do not preſerve the Go- " ſpel Truth, nor follow the Apoſtolick Poverty. They alſo obſtinately " and falſly affirm, that the Church of *Rome* is the Houſe of a Lye. *Item*, " Comparing themſelves with the Apoſtolical Life and Perfection, and equal- " ling themſelves to them in Merit, they vainly glory in themſelves, boaſting " that they hold and preſerve the Evangelick and Apoſtolick Poverty. *Item*, " Theſe and other Things, as well erroneous as mad, they privately dog- " matize to their Believers in their Conventicles. *Item*, They preach from " the Goſpels and Epiſtles, and other ſacred Writings, which by expound- " ing they corrupt, as Maſters of Errors, who know not how to be Diſciples " of the Truth, becauſe the Preaching and Expoſition of the ſacred Scrip- " tures is wholly forbidden to the Laity. *Item*, The ſaid Sect of the *Val-* " *denſes* differs and diſagrees in ſeveral Things, in Life and Manners, from " the common Converſation of the Faithful, as is found and plainly appears " by the Inquiſition and Examination as well of the *Valdenſes* themſelves, as " their Believers, and eſpecially by the Confeſſions of thoſe who are con- " verted by the Inquiſitors from that Sect and Hereſy. Moreover, thou " *John* haſt judicially before us and elſewhere, oftentimes approved and " praiſed the ſaid Sect and Hereſy of the *Valdenſes*, and doſt yet approve " and commend it, nor wilt depart from it, nor abjure and forſake it, but " rather perſevereſt in it with an obſtinate Mind, altho' by us and ſeveral " other good Men thou haſt been oftentimes invited to Converſion, and " haſt been canonically admoniſhed and judicially required by us, that " in Heart and Deed thou ſhouldſt turn from it, and with thy Mouth and " Soul wholly abjure it. We therefore the foreſaid Inquiſitors, having God " before our Eyes, *&c.* do declare and pronounce, and deliver you over to " the ſecular Court, as relapſed into the Hereſy which you have before " judicially abjured, and as an impenitent and obſtinate Heretick, affectio- " nately bewailing it, as the canonical Sanctions oblige us to do, to preſerve " your Life and Members untouched. Signed,

(L. S.) William Juliani, *publick and ſworn Notary for the Office of the Inquiſition*; *and* James Maſquetius, *Notary of the Inquiſition*. (L. S.)

From theſe Inſtances it appears, that the Opinions of the *Albigenſes* and *Valdenſes* were different. However, 'tis not to be doubted, but that often- times their Enemies gave very vile and odious Accounts of the Doctrines they held; as will appear by comparing the ſeveral Places in which they de- ſcribe

ſcribe them. For the ſame Opinion, which in one Place appears extremely erroneous; in another, when 'tis more fully explained, and without Spite, is harmleſs enough; of which the ſingle Inſtance of the Reſurrection of the Dead is full Proof. For ſometimes the *Albigenſes* are accuſed, that *they deny the Reſurrection of human Bodies*; as tho' they quite denied the Reſurrection of the Dead; which yet in another Place is more diſtinctly explained thus, that *the Dead ſhall ariſe with ſpiritual Bodies*. And that their Opinions have been miſrepreſented elſewhere, there can be no Doubt, and it will appear upon a Compariſon of the ſeveral Places, wherein they are recorded. But that the Opinions of the *Albigenſes* and *Valdenſes* were very different, cannot be denied. For if they had held the ſame, no Reaſon can be aſſigned, why different ones ſhould have been aſcribed to them. One would rather be inclined to believe, that as their Perſecutors greedily ſought after every Occaſion to puniſh them, they would have faſtened on every one of them all the heretical Opinions of the *Valdenſes* and *Albigenſes*; that ſo being burdened with numerous Crimes, the Inquiſitors might ſeem to have the more juſt Pretence for condemning them.

For this very Cauſe it may be juſtly concluded, that many other of thoſe impious Tenets that are aſcribed by *Baronius*, *Bzovius*, and others, to the *Albigenſes* and *Valdenſes*, were invented out of mere Hatred to them, and to render them deteſtable to the People; eſpecially that impious Opinion, which *Eymericus Direct. Inquiſ. Par.* 2. *Quæſ.* 14. imputes to the *Valdenſes*: *That 'tis better to ſatisfy a Man's Luſt by any Act of Uncleanneſs whatſoever, than to be perpetually burning*; *and that (as they ſay and practiſe) 'tis lawful in the dark for Men and Women to lie promiſcuouſly with one another, whenſoever and as often as they have the Inclination and Deſire.* For if this had been their Tenet, would there not have been one of that vaſt Number of Priſoners, that they condemned to ſuch various Puniſhments, to be found, that was infected with it? Or, if it could have been proved upon them, was the Equity, Humanity and Compaſſion of the Inquiſitors ſo very great, as to have concealed a Crime, that would have been condemned by the common Voice of Mankind, and expoſed thoſe that were guilty of it to the moſt ſevere Puniſhment and Death? Would they, by ſuch a Method of acting, have given the World occaſion to cenſure them for perſecuting, and cruelly puniſhing Men merely for the Sake of holding Opinions different from the *Roman* Faith, tho' conſiſtent with a due Regard to a good Conſcience, when at the ſame Time they might have accuſed them of ſo horrid an Impiety? If they had been really ſuch execrable Perſons, their Crimes ought to have been publickly expoſed; and thus they themſelves would have ſunk under the Weight of Infamy, and their Proſecutors would have been ſo far from being charged as bloody Inquiſitors, that they would have deſerved the univerſal Applauſe.

Hence we may learn what Credit is to be given to Popiſh Writers, when they give us an Account of the Opinions and Practices of thoſe they call Hereticks. 'Tis their Way to charge all that ſeparate from their Communion with Impurity and Luſt, as tho' the only Cauſe of their leaving the Com-

munion of the Church of *Rome*, was a diſhonourable and vile Love of Women; and they have moſt impudently dared to reproach with this Vice, Perſons that have been remarkable for their Chaſtity and Continence. In the mean while, nothing is more notorious, than that their Monks and Prieſts, who are forbid the Remedy of a chaſte and honourable Matrimony, abandon themſelves without Shame to the moſt impure Embraces, and infamouſly wallow in carnal Pleaſures. *Eraſmus*, *Tom.* 9. *Page* 401. ſays; *There is a certain* German *Biſhop, who declared publickly at a Feaſt, that in one Year he had brought to him* 11000 *Prieſts that openly kept Whores:* For they pay annually a certain Sum to the Biſhop. This was one of the hundred Grievances that the *German* Nation propoſed to the Pope's Nuncio at the Convention at *Norimberg*, in the Years 1522 and 1523. Grievance 91. *That the Biſhops in moſt Places, and their Officials, not only ſuffer the Prieſts to keep Whores, ſo they pay a certain Sum of Money, but even force the chaſter Prieſts, who live without Whores, to pay the Price of thoſe that keep them; alledging, that the Biſhop wants Money, and that thoſe Prieſts who pay it may either remain ſingle, or keep Whores as they pleaſe. How wicked a Thing this is, every one underſtands.* The ſame *Eraſmus*, in his Account of the Errors of *Bedda*, *Tom.* 9. *p.* 484. hath the following Paſſage: *What Wonder if ſome Nuns in the Age of St.* Auſtin *are ſaid to have married, when in this Age there are ſaid to be ſo many Monaſteries that are nothing better than publick Stews, and more that are private ones. Even in thoſe where the Rules are more ſtrict, there are more that have the Veil than their Virginity. This I relate with Grief, and I wiſh it was not true.* And a little after: *I know ſome, that have buried in the Monaſteries the Girls they have abuſed, that the Affair might be huſhed up.* And *p.* 569. *Bedda*, ſays he, *cries out gloriouſly, God forbid, God forbid, that any Man ſhould be admitted to the Dignity of the Prieſthood, who doth not wholly deny himſelf carnal Embraces, tho' at this Day there are ſome to be found who keep fifty Whores, not to add any thing worſe.* And *p.* 985. concerning the Prohibition of Fleſh: *Amongſt the Prieſts, how ſcarce is the Number that live chaſte? I ſpeak of thoſe who keep publickly at home their Whores, inſtead of Wives; for I will not mention the Myſteries of their more ſecret Luſts: I ſpeak of thoſe Things only that are well known to every one.* But the Inſtance he gives, *p.* 1380. is yet more execrable: That a certain *Dominican* Profeſſor of Divinity, whoſe Name was *John*, mention'd to him at *Antwerp*, in the Houſe of *Nicholas* of *Middlebourge*, a Phyſician, a Divine of *Lovain*, who told him, that he refuſed to give Abſolution to a certain Confeſſor of the Nuns, becauſe he acknowledged he had lain with 200 of them. But what need is there of producing Teſtimonies out of particular Authors? The very Laws of the Inquiſition, which ordain Puniſhments for thoſe Prieſts, who ſollicit not only Women, but, what is much worſe, even Boys, in the Sacrament of Confeſſion, are an undeniable Proof that theſe Crimes are too frequent and common in that State of impure Celebacy. So that having their own Minds inſnared with the Luſts of the Fleſh, and *their Eyes*, as the Scripture expreſſes it, *full of Adultery*, like the Generality of Mankind, they judge of others by themſelves, and inſinuate that the only, at leaſt the chief Cauſe

of

of forſaking the Church of *Rome*, is the immoderate Love of Women: Whereas, if they were not acted by the Principles of a good Conſcience, but from a Deſire of gratifying their luſtful Inclination, they might with much more Safety abide in the Communion of the Church of *Rome*, where they have daily Occaſions offered to them of fulfilling the Luſts of the Fleſh: They have nothing to fear, even from the bloody Tribunals of the Inquiſition, if they are but cautious, tho' they ſollicit Women in the very Sacrament of Confeſſion. This for once to refute the Calumnies of the Papiſts, who, whenever they are giving an Account of the Riſe of any of thoſe they call Hereticks, are perpetually repeating this Charge againſt them. But to return to our Purpoſe:

Beſides the above-mentioned Differences of Doctrines between the *Albigenſes* and *Valdenſes*, they differed alſo in their Rites and Cuſtoms. For at firſt there were two Sorts of the *Albigenſes*. Some profeſſed their Faith, and uſed their Cuſtoms, and were called *Perfecti* ſeu *Conſolati*, *Perfect* or *Comforted*. Others only enter'd into a Covenant with theſe perfect ones, which they call *La Convenenſa*, *The Agreement*, that at the End of Life they would be received into their Sect. This Reception is often called *Heretication*, and was performed after this manner to *Benedictus Molinerii* in a certain Illneſs that he laboured under: Bernard de Goch, *one of the* Albigenſes, *held the Hands of the ſick Perſon between his own, and held a certain Book over him, in which he read the Goſpel of St.* John, In the Beginning was the Word, *and delivered to him a fine Thread, with which he was to be tied for Hereſy.* The Rites adminiſter'd to a ſick Woman were ſomewhat different: Petrus Auterii *ſaid in the Preſence of the ſick Woman, Praiſe God; either inſtructing the Woman to ſay ſo, or ſaying ſo by himſelf. Then he laid his Hand upon the Woman, holding a certain Book, and reading ſome Words, but firſt put a white Linen Cloth upon her, and after he had read in the Book,* Peter *and* Aurelius *made many Bows near her Bed.* For this Reception they were prepared by certain Abſtinences, which I gather from the Sentence of *Peter Raymundus Dominicus de Borno*, who is ſaid to have ſeen *Peter Auterii* with *Peter Sancii*, who then kept thoſe Faſts, which they are obliged to do, who are to be admitted to the Sect of the Hereticks.

*fol.* 40. *a.* *fol.* 15. *b.* 62. *a.* 70. *a.* *fol.* 120. *b.* *fol.* 86. *a.* *p.* 43. *a.*

This Admiſſion was believed to ſave the Soul of the Perſon admitted, and was called *Spiritual Baptiſm*, *The Conſolation*, *The Reception*, and *Good End.* So that they were believed to be ſo ſanctified by it, as that afterwards it was unlawful for them to be touched by a Woman. Thus we read in the Sentence of a Woman, whoſe Father had been received amongſt the *Albigenſes*; *That ſhe was forbid by her Father to touch him, becauſe after his Reception no Woman ought to touch him, and from that Time ſhe never did touch him.* And in another Woman's Sentence; *That 'twas unlawful for her to touch* Petrus Sancii, *and that ſhe heard that 'twas reported amongſt them, that they neither touch a Woman, nor ſuffer themſelves to be touched by one.*

*fol.* 86. *a.* *fol.* 3. *a.* *fol.* 49. *fol.* 68. *b.*

But inaſmuch as it was poſſible that the Perſon received might return to his former Pollutions, his Reception was delay'd to his laſt Sickneſs, when there was no more Hopes of Recovery, that ſo he might not loſe the Good he had

had received; for which Reaſon ſome were not admitted, tho' one of the *Albigenſes* was preſent; becauſe 'twas not believed they would immediately die.

*fol.* 68. Thus 'tis reported of *Petrus Sancii*, that being called *to hereticate a certain ſick Woman, ſhe was not then hereticated; becauſe he did not think it proper upon Account of her not being weak enough.* And afterwards, though the Diſtemper grew more violent, *Petrus Sancii* did not hereticate her, becauſe ſhe recovered.

As for thoſe who were received during their Illneſs, they were commanded to make Uſe of the *Endura*, *i. e.* Faſting; and to haſten their Death by the opening a Vein, and Bathing. Thus 'tis reported of a certain Woman; That *ſhe*

*fol.* 14. *b.* *perſevered* in the Abſtinence which they call the *Endura*, *many Days; and haſten'd her bodily Death, by loſing her Blood, frequent Bathing, and greedily taking a poiſonous Draught of the Juice of wild Cucumbers, mixing with it broken Glaſs, that*

*fol.* 46. *by tearing of her Bowels ſhe might ſooner die.* Of another, 'tis ſaid, *That ſhe was forbidden by her Mother-in-Law to give her little Daughter, that had been hereticated*

*fol.* 49. *by* Peter Sancii, *any Milk to drink, by which it died.* Another confeſſes, *That ſhe had not ſeen her Father, ſince his Heretication, eating or drinking any Thing but*

*fol.* 63. *cold Water.* But one *Hugo*, who continued ſeveral Days in the *Endura*, did afterwards, by his Mother's Perſuaſion, eat and recover. The ſame Year *Peter Sancii* invited him *to enter into the* Endura, *and ſo make a good End; but he would not agree to it till he came to die.* The ſame *Hugo* ſaw, *that* Sancius *procured and haſten'd his own Death, by Bleeding, Bathing, and Cold. Petrus Auterii*

*fol.* 65. *b.* is ſaid to have received another Woman; *and after her Reception, to have forbid, that any Meat ſhould be given to the ſaid hereticated ſick Woman; and there were two Women who attended her, that watched that there ſhould be neither Meat nor Drink given her the whole Night, nor following Day, leſt ſhe ſhould loſe the Good ſhe had received, and contradict the Order of* Peter Auterii; *although the ſaid ſick Woman deſired that they would give her Meat.* But the third Day after, ſhe eat and

*fol.* 82. *b.* grew well. In the Sentence of *Peter Raymundus*, of the *Hugo's*, we read theſe Things concerning the *Endura. You voluntarily ſhorten your own corporal Life, and inflict Death upon your ſelf; becauſe you put your ſelf in that Abſtinence, which the Hereticks call* Endura, *in which* Endura *you remained ſix Days, without Meat or Drink, and wouldſt not eat, neither yet wilt, though oftentimes invited to it.* However, all of them did not care to ſubject themſelves to ſo ſevere a Law.

*fol.* 71. For we read of a certain Woman, that ſhe would not ſuffer her ſick Daughter, although near Death, to be received; *becauſe then her ſaid Daughter muſt be put*

*fol.* 30. *b.* *in the* Endura. There is alſo an Inſtance of a Woman, who for fear ſhe ſhould be taken up by the Inquiſitors, put her ſelf in the *Endura*; and ſending for a Chirurgeon, order'd him to open one of her Veins in a Bath: And after the Chirurgeon was gone, ſhe unbound her Arm in the Bath, that ſo the Blood running out more freely, ſhe might ſooner die. After this ſhe bought Poiſon in order to deſtroy her ſelf. Afterwards ſhe procured a Coblers Awl, which in that barbarous Age they call *Alzena*, intending to run it into her Side: But the Women diſputing amongſt themſelves, whether the Heart was on the right Side or the left, ſhe at laſt drunk up the Poiſon, and died the Day after.

They had alſo a peculiar Manner of ſaluting each other, by embracing, putting their Hands to both Sides, and turning their Head three Times to each Shoulder, ſaying every Time, Praiſe the Lord: Which Manner of Saluation ſeems to have been very common among them; becauſe we find it mentioned in the Sentences of many of them, and was performed ſometimes with bended Knees; ſometimes by putting their Hands down, even to the Ground. Sometimes alſo this Cuſtom was inſiſted on: So we read of a certain Perſon, *being required by the ſaid Heretick, to bend the Knee before him, and ſay, Praiſe ye the Lord; he bent on his Knee, and ſaid before him, Praiſe ye the Lord. The Heretick anſwer'd; May God bring you to a good End.* And of a certain Woman, *That ſhe ſaw a certain Perſon bowing before* Peter Auterii, *in her aforeſaid Houſe; and then ſhe was required to make her Amendment before the ſaid Heretick, as the other did. And then ſhe alſo began to bend the Knee before the ſaid Heretick, and knew not how to make the aforeſaid Amendment; upon which, they who were preſent began to laugh, which made her bluſh and go away.* We read of another, that he agreed with *Peter Auterii, That he would commend himſelf to him; that he might pray to God for him; and began to bow the Knee before him: And that* Peter Auterii *ſaid, Ye may not do it; for this is not the Place; and ſo ſent him away, that he might not bow the Knee before him, which he was willing and had began to do.* Nor was this Manner of Salutation required only from thoſe who were admitted, but alſo made Uſe of by thoſe who were called *Perfect*; and admitted others, as often as they met one another. Thus we read in the Sentence of *Amelius de Perlis*, That he and *Peter Auterius ſaluted each other with mutual Adoration before the Inquiſitors; and that they both adored each other, after an heretical Manner, before them, by falling on their Faces on the Ground; and ſaid that they were of the ſame Sect; and acknowledged that they had elſewhere oftentimes adored one another after the ſame Manner.*

*fol.* 59. *b.* *fol.* 176. *b.* *fol.* 120. *b.* *fol.* 9. *b.* *fol.* 91. *fol.* 89. *fol.* 70. *fol.* 16. *b.*

They faſted three Days a Week on Bread and Water. A certain ſick Man was told, That *he muſt have no Food, unleſs he could repeat the* Pater Noſter. *fol.* 120. *b.* *fol.* 49.

We read of the *Valdenſes*, that they had certain *Elders* (Majores) of their Sect. Thus *John* of *Lorain* was called *Majoralis* of that Sect; and *Chriſtian*, and *John* of *Chabley*, *Majores*. *fol.* 147.

'Tis reported of them alſo, That *they prayed on their Knees before and after Dinner, leaning on a Table.* This occurs in almoſt all the Sentences of the *Valdenſes*. 'Twas alſo cuſtomary with them to ſay Grace over their Meat; becauſe *Perrin Faber* was accuſed, that *he eat and drank with the* Valdenſes, *at the ſame Table that had been bleſſed by them.* *fol.* 109. *b.*

*They uſed to compare themſelves with the Apoſtolical Life and Perfection; and boaſt that they were equal to them in Merit; and that they preſerved and imitated the Evangelick and Apoſtolick Poverty*; upon which Account they obtained the Name of the *poor Men of* Lyons. *fol.* 128. *b.*

Beſides this, they had other Cuſtoms different from the common Way of Living. Thus we read, That *the ſaid Sect of the* Valdenſes, *ſeparated and differed in other Things from the common Life and Manners of the Faithful.* *fol.* 128. *b.*

And

*fol.* 123. And laſtly, we read in the Sentence of *John Philibert*, a Preſbyter, *That the* Valdenſes *preach to their Believers ſometime after Supper, in the Night, out of the Goſpels and Epiſtles, in the vulgar Language.*

Since therefore there is ſo great a Diverſity in the Opinions and Cuſtoms of the *Albigenſes* and *Valdenſes*, 'tis very evident that they were two diſtinct Sects, both of them abhorring the Communion of the Church of *Rome*; but in many Things differing from each other. This appears moſt plainly from theſe Acts; for all thoſe that received Sentence, to Page 92. are *Albigenſes*: *Stephen Poncher* is the firſt of the *Valdenſes*, mentioned in the ſame Page. Page 96. follows the Sentence againſt *John Brayſſe*, the *Valdenſian*. After that, the *Albigenſes* and *Valdenſes* are condemned promiſcuouſly, but in ſuch a Manner, as that at firſt View, one may know one from the other. The principal Perſons of the *Albigenſes*, who received others, and are mentioned in the ſeveral Sentences, are *Petrus Auterii*, *James*, his Son; and *William*, *Peter*'s Brother, *Petrus Raimundi de Sancto Papulo*, *Aimericus Barrotti*, *Amelius de Perlis*, *Andreas de Padris*, *Octavius*, *Petrus Sancii de Garda*, *Bernardus Andoyni de Monte Acuto*, and a great Number of others, mentioned *p.* 93, 101, 106, 123, 146. *b.* From hence I conclude, that they were not only two diſtinct Sects originally, but that they were not united into one Church afterwards, at leaſt, in the Year 1320. *i. e.* half an Age after their firſt Riſe.

Pegna *in Direct. par.* 2. *com.* 25. I cannot however deny, that *Ivonetus*, who lived about thoſe Times, attributes many Things to the *Valdenſes*, which in theſe Acts are aſcribed to the *Albigenſes*, viz. that they are divided into two Parties. *There are ſome*, ſays Ivonetus, *who are accounted Perfect: Theſe are properly called the poor Men of* Lyons. *All are not taken in under this Character, but are firſt inſtructed themſelves, a long while, that they may know how to teach others. Theſe* Perfect *declare that they have nothing of their own, neither Houſes nor Poſſeſſions, nor certain Dwellings. And if they had any Wives before, they put them away. They ſay they are the true Succeſſors of the Apoſtles, and are the Maſters and Confeſſors of others; go viſiting about the Countries, and confirming their Diſciples in their Error: Theſe Diſciples bring them all Things neceſſary. Into whatever Place they come, they give Notice of their Arrival: They are met by great Numbers in ſome ſafe and ſecret Place, to ſee and hear them. They ſend them the beſt of Meat and Drink. They appoint Collections for Support of their Poor, their Maſters and Students, who have nothing of their own; or elſe to inveigle others, who are drawn over to their Party by the Love of Money.* Moſt of theſe Things are aſcribed in theſe Acts, to the *Albigenſes*; ſo that they ſometimes ſeem to have been confounded with one another.

On the other hand, *Pegna* and *Eymericus* ſeem to have acknowledged a Difference between them. For *Pegna*, upon *Eymericus*'s Directory of the Inquiſitors, *Par.* 2. *Comment.* 38. calls the *Sacrament of the* Albigenſes, Conſolamentum, *the Conſolation*; and adds, that their other Sacrament was the Bleſſing of Bread. *This*, ſays he, *is a Sort of breaking Bread, which they daily uſe at Dinner and Supper: 'Tis performed after this Manner. When the* Puritans (ſo he calls the *Albigenſes*) *are come to the Table, they all ſay the Lord's Prayer; in*

*the mean while, he who is the principal Perſon amongſt them, either as to Riches or Dignity, takes in his Hand one or more Loaves, according to the Number of thoſe that are preſent; and ſaying,* The Grace of our Lord Jeſus Chriſt be with you all always; *he breaks the Loaf or Loaves, and diſtributes to all that ſit down, whither they are Puritans, or only their Believers. And in this they differ from the poor Men of* Lyons; *for they perform this Ceremony or Bleſſing, only once in a Year.*

Of the *Valdenſes*, *Eymericus* thus writes, *P.* 3. *Num.* 112. *Thoſe among them that are Perfect, put in the upper Part of the Shoe or Zabbata, a Sort of a Eſcutheon, as a Sign, from which they are called* Inzabbatati. *They have one among them, ſuperior to the reſt, whom they call* Majoralis *or* Elder, *to whom alone, and to no other, they yield Obedience. When they ſit at Table they bleſs in this Manner:* He who bleſſed the five Barly Loaves and two Fiſhes, in the Deſart, to his Diſciples, bleſs this Table to us. *And when they riſe, they repeat thoſe Words of the Revelation;* Bleſſing, and Honour, and Wiſdom, and Thanks, and Glory, and Strength, be unto our God for ever and ever. *Amen. Always holding their Eyes and Hands lift up to Heaven.* This Account is agreeable to what we read of the *Valdenſes*, in the Book of Sentences of the *Thouloufe* Inquiſition, but much more explicite and diſtinct.

The ſame *Eymericus*, *Num.* 88, *&c.* charges theſe Hereticks, of his Time, with many Equivocations and Tricks, by which they endeavour to deceive the Inquiſitors, when they interrogate them concerning their Faith, *viz. If they are asked, Do you believe the Sacrament of Baptiſm neceſſary to Salvation; they anſwer; I believe. By which, they mean their own private Faith, and not their believing the Doctrine they are asked about: Or, if it pleaſes God, I believe well; meaning, that it is not pleaſing to God, that they ſhould believe as the Inquiſitors would have them: Or, by returning the Queſtion. Sir, How do you believe? And when the Inquiſitor anſwers, I believe the Faith of the Church of* Rome, *they reply, I believe ſo; meaning, that they believe the Inquiſitor believes as he ſays; not that they believe as he doth.* Theſe and other like Things he affirms that he obſerved, during the Adminiſtration of his Office.

I have been the longer on this Account of the *Albigenſes* and *Valdenſes*, that every one may judge whether they were one or two different Sects. To ſpeak my own Mind freely, they appear to me to have been two diſtinct ones; and that they were entirely ignorant of many Tenets, that are now aſcribed to them. Particularly the *Valdenſes* ſeem to have been plain Men, of mean Capacities, unſkilful and unexperienced; and if their Opinions and Cuſtoms were to be examined without Prejudice, it would appear, that amongſt all the modern Sects of Chriſtians, they bare the greateſt Reſemblance to that of the *Memnonites.*

## CHAP. IX.

### *Of the* PERSECUTIONS *againſt the* ALBIGENSES *and* VALDENSES.

Baron. §. 18. N. 4. IT was the entire Study and Endeavour of the Popes, to cruſh in its Infancy, every Doctrine that any way oppoſed their exorbitant Power. In the Year 1163. at the Synod of *Tours*, all the Biſhops and Prieſts in the Country of *Tholouſe*, were commanded *to take Care, and to forbid, under the Pain of Excommunication, every Perſon from preſuming to give Reception, or the leaſt Aſſiſtance to the Followers of this Hereſy*, which firſt began in the Country of *Tholouſe, whenever they ſhould be diſcovered. Neither were they to have any Dealings with them in buying or ſelling; that by being thus deprived of the common Aſſiſtances of Life, they might be compelled to repent of the Evil of their Way. Whoſoever ſhall dare to contravene this Order, let him be excommunicated as a Partner with them in their Guilt. As many of them as can be found, let them be impriſoned by the Catholick Princes, and puniſhed with the Forfeiture of all their Subſtance.*

Pegna *in* Eymeric. *p.* 2. *com.* 39. Bzovius, *a.* 1199. §. 38. Some of the *Valdenſes* coming into the neighbouring Kingdom of *Arragon*, King *Ildefonſus*, in the Year 1194. put forth, againſt them, a very ſevere and bloody Edict, by which *he baniſhed them from his Kingdom, and all his Dominions, as Enemies of the Croſs of Chriſt, Prophaners of the Chriſtian Religion, and publick Enemies to himſelf and Kingdom.* He adds: *If any, from this Day forwards, ſhall preſume to receive into their Houſes the aforeſaid* Valdenſes *and* Inzabbatati, *or other Hereticks, of whatſoever Profeſſion they be, or to hear in any Place their abominable Preachings, or to give them Food, or to do them any kind Office whatſoever; let him know, that he ſhall incur the Indignation of Almighty God and Ours; that he ſhall forfeit all his Goods, without the Benefit of Appeal, and be puniſh'd as though guilty of High Treaſon,* &c. *Let it be farther obſerved, That if any Perſon, of high or low Condition, ſhall find any of the often before mentioned accurſed Wretches, in any Part of our Dominions, who hath had three Days Notice of this our Edict, and who either intends not to depart at all, or not immediately, but who contumaciouſly ſtays, or travels about; every Evil, Diſgrace, and Suffering that he ſhall inflict on ſuch Perſon, except Death or Maiming, will be very grateful and acceptable to us; and he ſhall be ſo far from incurring any Puniſhment upon this Account, that he ſhall be rather entitled to our Favour. However, we give theſe wicked Wretches Liberty till the Day after* All Saints (*though it may ſeem contrary to Juſtice and Reaſon*) *by which they muſt be either gone from our Dominions, or upon their Departure out of them: But afterwards they ſhall be plunder'd, whipp'd and beat, and treated with all Manner of Diſgrace and Severity.*

Raynald. *a.* 1199. §. 23, 24. Nor did they act with leſs Cruelty againſt Hereticks in *Orvieto*. *Peter Parentius*, the *Præfect*, declared, and that publickly, to a large Aſſembly, That whoſoever, within an appointed Day, would come back to the Church, which never ſhuts her Boſom to thoſe who return, and obey the Commands of the Biſhops, ſhould obtain Pardon and Favour; but that whoſoever

ſhould

ſhould refuſe to return by the prefixed Day, ſhould be ſubject to the Puniſhment appointed by the Laws and Canons. But what this Favour was, is deſcribed in the publick Records of that Church, in theſe Words: *But the Biſhop inflamed againſt the Wickedneſs of the* Manichæans, *received, with a paſtoral Concern, the Confeſſion of the Hereticks, returning from their Hereſy to the Catholick Unity, and preſented them to the Præfect. Some of theſe he bound in Iron Chains, others he cauſed to be publickly whipped, others he miſerably baniſhed out of the City, others he fined, who were true Penitents on Account of the Money they loſt; from others he took large Securities, and pulled down the Houſes of many more: So that the Governor of the City, walking after the Royal Pattern, turned aſide neither to the left Hand nor to the right.* To this Account *Raynaldus* adds, *Theſe Things did this new* Phineas, *burning with an holy Zeal, for the Catholick Faith, this Year in the Time of* Lent. But he was a little after killed by the Hereticks. §. 23.

About the Year 1200, Pope *Innocent* III. wrote to ſeveral Archbiſhops and Biſhops in *Guienne*, and other Provinces of *France*, that they ſhould baniſh the *Valdenſes*, *Puritans*, and * *Paterines*, from their Territories; and ſends thither the Friars, *Reyner*, and *Guido* the Founder of the Order of Hoſpitallers, to convert Hereticks; and commands the Biſhops, that thoſe who would not be converted ſhould be baniſh'd; and that they ſhould humbly receive, and inviolably obſerve whatever Friar *Reyner* ſhould ordain againſt Hereticks, their Favourers and Defenders. He commanded alſo the Princes, Earls, *&c.* That thoſe Hereticks who ſhould be excommunicated as impenitent by Friar *Reyner*, ſhould be adjudged to Forfeiture of their Eſtates and Baniſhment; that if after this Interdict they ſhould be found in their Dominions, they ſhould proceed more ſeverely againſt them, as became Chriſtian Princes. He gave moreover full Power to *Reyner*, to compel the Princes to this Work, under Pain of Excommunication, and Interdict of their Dominions, without Appeal; and commands him not to delay to publiſh the Sentence of Excommunication againſt the Receivers of excommunicated Hereticks. And to conclude, he exhorts the People to give all Aſſiſtance, when required, againſt Hereticks, to the Friars *Reyner* and *Guido*, and grants to all who ſhould ſtand by them faithfully and zealouſly, the ſame Indulgence of Sins, which is uſed to be granted to thoſe who viſited the Threſhold of St. *Peter* or St. *James*. Bzovius, *a.* 1198. §. 6. Raynald. §. 37.

The next Year following he commands the Archbiſhops of *Aix* and *Metz*, and others, with ſome Abbots, that they ſhould examine the poor Men of *Lyons*, and others, concerning the Orthodox Faith; and as they found the Matter, ſhould give him full Information by Meſſenger or Letters; that being thus more fully informed by them, he might know the better how to proceed againſt them. He made alſo the moſt ſevere Laws for the Extirpation of Hereſy, which are contained in his Letters to the Citizens of *Viterbo*, ſome of whom had been infected with Hereſy. Bzovius, *a.* 1199. §. 21. Raynald. *a.* 1199. §. 27.

* Some of the Sectaries of the *Valdenſes*: They called themſelves *Paterines*, after the Example of the Martyrs, who ſuffered Martyrdom for the Catholick Faith; becauſe they, like them, were *expoſitos paſſionibus*, expoſed to Sufferings. *Du Freſne Gloſſar. Med. & inf. Lat. in voce.*

## CHAP. X.

### *Of* DOMINICUS, *and the first Rise of the* Tholouse INQUISITION.

THUS far we have consider'd the Method of Proceeding against Hereticks, as committed to the Bishops, with whom the Government and Care of the Churches were entrusted, according to the received Decrees of the Church of *Rome*. But inasmuch as their Number did not seem sufficient to that Court, or because they were too negligent in the Affair, and did not proceed with that Fury against Hereticks as the Pope would have had them; therefore, that he might put a Stop to the encreasing Progress of Heresies, and more effectually extinguish them, about the Year of our Lord, 1200. he founded the Order of the *Dominicans* and *Franciscans*, that they might preach against Heresies. *Dominick* and his Followers were sent into the Country of *Tholouse*, where he preached, with great Vehemence, against the Hereticks that were arisen there; from whence his Order hath obtained the Name of *Preachers*, or *Predicants*. Father *Francis*, with his Disciples, batteled it with the Hereticks of *Italy*. They were both commanded by the Pope, to excite the Catholick Princes and People to extirpate Hereticks; and in all Places to enquire out their Number and Quality, and also the Zeal of the Catholicks and Bishops in their Extirpation; and to transmit a faithful Account to *Rome*. Hence they were called *Inquisitors*.

It is evident that the first Inquisitors were *Dominican* Friars, or of the Order of *Predicants*; but 'tis not so certain what Year the Inquisition it self was first introduced. *Dominick*, as hath been said, was sent into the Country of *Tholouse*, * or *Gallia Narbonensis*: He, as *Bertrand* relates in his Account of the Affairs of *Tholouse*, whom *Usser* cites, first lodged in the House of a certain Nobleman, to whom belonged the House of the Inquisition at *Tholouse*, near the Castle of *Narbonne*; and finding him sadly infested with Heresy, Father *Dominick*, Inquisitor of the Faith, reduced him to the Path of Truth; upon which, he devoted himself and his House, to St. *Dominick* and his Order: Which House hath ever since belonged to the Inquisition, and the *Dominican* Order. From hence we may gather, that *Dominick* was the first Inquisitor; and that the Inquisition was first introduced into *Tholouse*: But as to the Year when, Writers differ; some referring it to the Year of Christ, 1212; others to 1208; and others to 1215. This is certain, and agreed by all, that it began under the Papacy of *Innocent* III. and that *Dominick* was appointed the first Inquisitor in *Gallia Narbonensis*: But whether he received his Office of Inquisitor from *Arnaldus*, Abbot of *Cisteaux*, Legate of the Apostolick See, in *France*, or immediately from the Pope, is disputed by the Popish Writers. Those who endeavour to reconcile the Difference, say that *Dominick* was first appointed

*De Succes. Eccles. in Occidente, c. 9. §. 9.*

* That Part of *France*, which anciently contained the Provinces of *Savoy*, *Dauphine*, *Provence*, and *Languedoc*.

Inqui-

Inquiſitor by the Legate, and afterwards confirmed by the Pope himſelf. *Ludovicus a Paramo* ſeems to be of the ſame Opinion; for he ſays, that Father *Dominick* firſt diſcourſed of his Deſign, to introduce the Inquiſition, to the Abbot of *Ciſteaux*, at that Time Apoſtolick Legate in *France*; and that the Abbot appointed him Inquiſitor, at the ſame Time referring the Affair to the Pope. After this he was confirmed in the Office by a Cardinal Legate in that Kingdom; and at length, after the Concluſion of the *Lateran* Council, *Ann.* 1216. he was made Inquiſitor by Authority of the Pope's Letters, a Copy of which ſome Authors affirm they have actually ſeen. *lib.* 2. *tit.* 1. *cap.* 1. *n.* 13.

"When *Dominick* had received theſe Letters, upon a certain Day, in the "Midſt of a great Concourſe of People, he declared openly in his Sermon, "in the Church of St. *Prullian*, that he was raiſed to a new Office by the "Pope; adding, that he was reſolved to defend, with his utmoſt Vigour, "the Doctrines of the Faith; and that if the Spiritual and Eccleſiaſtical "Arms were not ſufficient for this End, 'twas his fixed Purpoſe to call in "the Aſſiſtance of the Secular Arm, to excite and compel the Catholick "Princes to take Arms againſt Hereticks, that the very Memory of them "might be entirely deſtroy'd." It evidently appears that *Dominick* was a bloody and cruel Man. This is more than obſcurely intimated by the *Dominican*, *Camillus Campegius*, Inquiſitor General of *Ferrara*, who after having recited the Letters of *Dominick*, in which he declares the Penances he enjoined to *Pontius Rogerii*, adds: *I have the more willingly annexed to this Treatiſe of Puniſhments theſe Letters of St.* Dominick *our Father; who firſt exerciſed the Office of Inquiſitor, that all may be able to make a Compariſon between the ancient Severity made uſe of to ſtop the Progreſs of theſe Crimes, and the preſent Moderation and Tenderneſs of this holy Tribunal.* Theſe Letters he wrote, as *Ludovicus a Paramo* obſerves, when as yet he acted as Inquiſitor only by the Authority of the Abbot of *Ciſteaux*, and theſe Letters *Paramus* produces to prove, that *Dominick* aſſumed this Office, *from a Reſolution to puniſh Hereticks with ſuch Severity, as that by the Fear of Puniſhment he might deter others from the like Wickedneſs.* He was born in *Spain* in the Village *Calaroga* in the Dioceſe of *Oſma*. His Mother, before ſhe conceived him, is ſaid to have dreamed, that ſhe was with Child of a Whelp, carrying in his Mouth a lighted Torch; and that after he was born, he put the World in an Uproar by his fierce Barkings, and ſet it on Fire by the Torch that he carried in his Mouth. His Followers interpret this Dream of his Doctrine, by which he enlightned the whole World; whereas others, if Dreams preſage any thing, think that the Torch was an Emblem of that Fire and Faggot, by which an infinite Multitude of Men were burnt to Aſhes. *c.* 2. *n.* 4. *c.* 20. Zanchinus. *l.* 2. *t.* 1. *c.* 2. *n.* 5.

In the Beginning the Inquiſitors had no proper Tribunal; they only enquired after Hereticks, their Number, Strength and Riches. After they had detected them, they informed the Biſhops, who then had the ſole Power of Judging in Eccleſiaſtical Affairs, and ſometimes urged them, that they ſhould anathematize, and otherwiſe puniſh the Hereticks they had diſcovered to them. Sometimes they ſtirred up Princes to take Arms againſt Hereticks; ſometimes

ſometimes the People. Such of them as engaged in this Work, they ſigned with the Croſs, and encouraged them in their Expeditions againſt Hereticks. Farther than this, *Dominick*, who was of a bloody fierce Temper, that he might the more effectually extirpate all Hereſy, invented a Method, how, under the Appearance of Mercy and Tenderneſs, he might exerciſe the moſt outragious Cruelty, *viz.* the laying ſome certain Puniſhments, by way of wholſome Penance, upon ſuch as were converted to the *Roman* Faith, that being thus converted, they might be freed from Excommunication. For what could carry a greater Appearance of Mercy, than to abſolve and receive into Communion, thoſe Hereticks that returned to the Church, and voluntarily ſubjected themſelves to a wholſome Penance? But the Truth is, that this was the Height of Cruelty: For they ſubmitted to ſuch Penances, not from Conviction and Choice, but for fear of a more terrible Puniſhment. For the Fire and Faggot and other Puniſhments were ready prepared for ſuch as were not converted; and all that refuſed to ſubmit to theſe Penances, were pronounced excommunicate, convict, and obſtinate Hereticks, and as ſuch turned over to be puniſhed by the Secular Court. Beſides, theſe wholſome Penances were attended with the greateſt Miſeries to the Penitents; for either they were condemned to perpetual Impriſonment, there to wear out a wretched Life with the Bread and Water of Affliction, or were marked on their Back and Breaſt with Croſſes, that by theſe Marks of Infamy, they might be expoſed to the Reproaches and Abuſes of all Men; and were withal publickly whipped before the People, either in the open Street, or in the Church, and commanded many other Things, under the ſpecious Name of Penance; that by this Severity, which the Penitents were forced voluntarily to ſubmit to, that there might be an Appearance of Mercy in their Caſe, all others might be deterred from Hereſy.

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## CHAP. XI.

### *Of the Wars againſt* RAYMOND, *Father and Son, Earls of* THOLOUSE.

IN the mean while the Pope, being intent on the Extirpation of Hereticks, excited all the Princes, that they ſhould not yield them any Refuge in their Dominions, but oppreſs them with all their Force. His principal Care was to expel them from the Country of *Tholouſe*, where the *Albigenſes* were very numerous. He was perpetually preſſing *Raymond* Earl of *Tholouſe* to baniſh them from his Dominions; and when he could not prevail with him, either to drive out ſo large a Number of Men, or to perſecute them, he ordered him to be excommunicated as a Favourer of Hereticks. He alſo ſent his Legate, with Letters to many of the Prelates, commanding them to make Inquiſition againſt

the heretical *Albigenſes* in *France*, and to deſtroy them, and convert their Favourers. He alſo wrote to *Philip* King of *France*, that he ſhould take Arms againſt thoſe Hereticks, and uſe his utmoſt Force to ſuppreſs them; that by endeavouring to prevent the Progreſs of their Hereſy, he might be under no Suſpicion of being tainted with it himſelf. With the Pope's Legate there came alſo twelve Abbots of the *Ciſtercian* Order, preaching the Croſs againſt the *Albigenſes*, and promiſing, by the Authority of *Innocent*, a plenary Remiſſion of all Sins, to all who took on them the Cruſade. To theſe *Dominick* joined himſelf, and, as we have related, invented in that Expedition the Inquiſition. The *Roman* Pontiffs had appointed this kind of War, which they called *Holy*, againſt the *Infidels* and *Saracens*, for the Recovery of the Holy Land; and becauſe all who liſted themſelves in that Service wore the Sign of the Croſs near their Shoulders, they were called Croſs-bearers. They ordered it alſo to be proclaimed, that all who would enter into that Holy War, or piouſly contribute any Money for the Pay of the Soldiers, being confeſſed and penitent, according to the Rules and Methods fixed by the Divines, ſhould obtain a full Indulgence and Remiſſion of their Sins, and be abſolved from the Sentences of Interdict, Suſpenſion, and Excommunication, and eſpecially from thoſe they had incurred by firing or breaking into Churches, or by laying violent Hands on Eccleſiaſticks, and from all other Sentences, except the Crime was ſo enormous, that they could not receive Abſolution but immediately from the Apoſtolick See. They were allowed alſo, in the Time of a General Interdict, to be preſent at Divine Services, and to receive the Eccleſiaſtical Sacraments, in thoſe Places where they were celebrated, by a ſpecial Indulgence from the Apoſtolick See, if they had been abſolved before from their reſpective Sentences, as may be ſeen in the Bull of *Innocent* the Fourth, which begins, *Malitia hujus temporis*; that by the Hopes of this Immunity, Men might be excited to undertake theſe Expeditions. Accordingly Multitudes came together, and chearfully engaged in them, upon the Belief that they could in ſo eaſy a manner atone for their Sins. But now the Popes turned theſe Expeditions againſt Chriſtians themſelves, whom they loaded with the infamous Name of Hereticks, only becauſe they were Enemies to their See, and the exorbitant Power of it. Some of theſe Croſs-bearers *Dominick* ſent into the Country of *Tholouſe* againſt the *Albigenſes*, to overcome thoſe Hereticks by the material Sword, whom he could not cut off by the Sword of the Word of God. Bzovius, *a.* 1204. §. 22.

[For this Fraternity *Dominick* framed certain Conſtitutions, by which they were to preſerve and govern themſelves. The firſt was, that ſuch who entered into this Warfare, ſhould take a ſolemn Oath, that they would endeavour with all their Might to recover, defend, and protect the Rights of the Church againſt all who ſhould pretend to uſurp them; and that in Defence of the Eccleſiaſtical Effects they would expoſe themſelves and their own Eſtates, and take up Arms, as often as they ſhould be called on to do it by the Prelate of the War, who was then *Dominick*, and afterwards the Maſters General of the *Dominican* Order. *Dominick* further exacted an Oath from the

the Wives of these Cross-bearers, if any of them were married, that they would not perswade their Husbands to forsake this War for the Support of the Ecclesiastical Immunity; and promised them eternal Life for so holy a Service. And to distinguish them from other Laicks, he ordered that both the Men and their Wives should wear Garments of white and black Colours, tho' they differed as to their Make. They also repeated in the canonical Hours the Lord's Prayer, and the Salutation of the Angel so many Times, as was customary in any other common Wars. It was ordained also, that none should be admitted to this sacred Warfare, without a previous rigorous Examination of his Life, Manners and Faith, whether he had paid his Debts, forgiven his Enemies, made his Will, that he might be more ready for the Battle, and obtained Leave from his Wife before a Notary and proper Witnesses. The Wives of those who were slain in the Expedition promised they would never marry again. This kind of Warfare was at that Time very acceptable, so that many eagerly entered into it, that by the Slaughter of Hereticks, and the Plunder of their Goods, they might march away to Heaven.]

But because even these Cross-bearers did not fight against them with that continued Zeal and Fury, that the Pope and *Dominick* would have had them, the *Dominicans* excited larger Numbers to engage in this Warfare, by the Hopes of a plenary Indulgence. The Text which their Preachers used to chuse for this Purpose, was from *Psal.* xciv. 16. *Who will rise up for me against the Evil doers? Or who will stand up for me against the Workers of Iniquity?* And as they directed their whole Sermons to their own cruel Purpose, they generally thus concluded: *You see, most dear Brethren, how great the Wickedness of the Hereticks is, and how much Mischief they do in the World. You see also how tenderly, and by how many pious Methods the Church labours to reclaim them. But with them they all prove ineffectual, and they fly to the Secular Power for their Defence. Therefore our holy Mother the Church, tho' with Reluctance and Grief, calls together against them the Christian Army. If then you have any Zeal for the Faith, if you are touched with any Concern for the Honour of God, if you would reap the Benefit of this great Indulgence, come and receive the Sign of the Cross, and join your selves to the Army of the crucified Saviour.* There was indeed this Difference between those who took up the Cross against the *Saracens*, and those who did it against the Hereticks, that the former wore it on their Backs, and the latter on their Breasts. And that their Zeal might by no Means grow cool, there were certain Synodical Decrees made by the Authority of the Pope, by which the Presbyters were enjoined continually to excite and warm it. *Let the Presbyters continually and affectionately exhort their Parishioners that they arm themselves against the heretical* Albigenses. *Let them also enjoin, under the Pain of Excommunication, those who have taken the Cross, and not prosecuted their Vow, that they retake the Cross and wear it.*

Usser. *de Suc. cap.* 9. §. 5.

Usser. *ibid.* c. 10. §. 23.

Raynold. *a.* 1208. § 15. &c. Bzovius, *a.* 1208. §. 3, 4.

*Raymond* Earl of *Tholouse* not being in the least diverted from his Purpose by the Sentence of the Legate, who having consulted with *Dominick*, had forbid him, as a Favourer of Hereticks, the Communion of holy Things, and of the Faithful, was excommunicated by a Bull of *Innocent* himself, as a Defender of Hereticks,

Hereticks, and all his Subjects abſolved from their Oath of Allegiance; and Power was given to any Catholick Man, tho' without Prejudice to the Right of the ſupreme Lord, not only to act againſt his Perſon, but to ſeize and detain his Country; under this Pretence chiefly, that it might be effectually purged from Hereſy by the Prudence of the one, as it had been grievouſly wounded and defiled by the Wickedneſs of the other.

The Earl, frighten'd by this Sentence, and eſpecially by the terrible Expedition of the Croſs-bearers againſt him, promiſed Obedience, and ſought to be reconciled to the Church; but could not obtain it without delivering up to the Legate ſeven Caſtles in his Territories for Security of Performance, and unleſs the Magiſtrates of *Avignon*, *Nimes*, and *Agde*, had interceded for him, and bound themſelves by an Oath, that if the Earl ſhould diſobey the Commands of the Legate, they would renounce their Allegiance to him. It was farther added, that the County of *Venaiſcin* ſhould return to the Obedience of the Church of *Rome*. The Manner of the Reconciliation of the Earl of *Tholouſe*, was, according to *Bzovius*, thus: *The Earl was brought before the Gates of the Church of St.* Agde, *in the Town of that Name. There were preſent more than twenty Archbiſhops and Biſhops, who were met for this Purpoſe. The Earl ſwore upon the holy Body of our Lord* Jeſus Chriſt, *and the Relicks of the Saints, which were expoſed with great Reverence before the Gates of the Church, and held by ſeveral Prelates, that he would obey the Commands of the holy* Roman *Church. When he had thus bound himſelf by an Oath, the Legate order'd one of the ſacred Veſtments to be thrown over his Neck, and drawing him thereby, brought him into the Church, and having ſcourged him with a Whip, abſolved him. Nor muſt it be omitted, that when the ſaid Earl was brought into the Church, and received his Abſolution as he was ſcourging, he was ſo grievouſly torn by the Stripes, that he could not go out by the ſame Place thro' which he entered, but was forced to paſs quite naked as he was thro' the lower Gate of the Church. He was alſo ſerved in the ſame manner at the Sepulchre of St.* Peter *the Martyr at* New Caſtres, *whom the Earl had cauſed to be ſlain.* §. 95. §. 6.

However, the vaſt Army of the Croſs-bearers was not idle after the Reconciliation of the Earl of *Tholouſe*, but every where attacked the Hereticks, took their Cities, filled all Places with Slaughter and Blood, and burnt many whom they had taken Captives. For in the Year 1209. *Biterre* was taken by them, and all, without any Regard of Age, cruelly put to the Sword, and the City it ſelf deſtroy'd by the Flames. *Cæſarius* tells us, that when the City was taken, the Croſs-bearers knew there were ſeveral Catholicks mixed with the Hereticks; and when they were in Doubt how to act, leſt the Catholicks ſhould be ſlain, or the Hereticks feign themſelves Catholicks, *Arnold* Abbot of *Ciſteaux* made Anſwer, *Slay them all, for the Lord knows who are his*; whereupon the Soldiers ſlew them all without Exception. Bzovius, *a.* 1209. §. 1. Raynaldus, *a.* 1209. §. 22.

*Carcaſſone* alſo was deſtroyed, and by the common Conſent of the Prelates and Barons, *Simon* Earl of *Montfort*, of the Baſtard Race of *Robert* King of *France*, [whom *Petavius* in his *Ration. Temp.* calls a Man as truly religious as valiant,] was made Governor of the whole Country, both of what was already conquered, and what was to be conquered for the future. The ſame Year he §. 23, 24.

took ſeveral Cities, and reduced them to his own Obedience. He cruelly treated his captive Hereticks, and put them to Death by the moſt horrible
§. 25. Puniſhments. *In the City* Caſtres *two were condemned to the Flames, and when a certain Perſon declared he would abjure his Hereſy, the Croſs-bearers were divided amongſt themſelves. Some contended that he ought not to be put to Death; others ſaid 'twas plain he had been an Heretick, and that his Abjuration was not ſincere, but proceeded only from his Fear of immediate Death.* Earl Montfort *conſented that he ſhould be burnt; alledging, that if his Converſion was real, the Fire would expiate his Sins; if otherwiſe, that he would receive a juſt Reward of his Perfidiouſneſs.*
*a.* 1207. In other Places alſo they raged with the like Cruelty. One *Robert*, who had
§. 3. been of the Sect of the *Albigenſes*, and afterwards joined himſelf to the *Dominicans*, ſupported by the Authority of the Princes and Magiſtrates, burnt all who perſiſted in their Hereſy; ſo that within two or three Months he cauſed fifty Perſons, without Diſtinction of Sex, either to be buried alive or burnt; from whence he gained the Name of *the Hammer of the Hereticks*. *Raynold* affirms, that it ought not to be doubted but that Pope *Innocent* ap-
*a.* 1210. pointed him to this Office. At *Paris*, one *Bernard*, with nine others, of
§. 10. whom four were Prieſts, the Followers of *Almerick*, were apprehended;
Bzovius, and being all had into a Field, were degraded before the whole Clergy and
*a.* 1209. People, and burnt in the Preſence of the King.
§. 11.

*a.* 1211. The Year following there was undertaken a new Expedition of the Croſs-
§. 9. bearers againſt the *Albigenſes*. They ſeized on *Alby*, and there put many to Death. They took *la Vaur* by Force, and burnt in it great Numbers of the *Albigenſes*. They hanged *Aymerick* the Governor of the City, who was of a very noble Family. They beheaded eighty of leſſer Degree, and did not ſpare the very Women. They threw *Girarda*, *Aymerick*'s Siſter, and the chief Lady of that People, into an open Pit, and cover'd her with Stones. Afterwards they conquered *Carcum*, and put to Death ſixty Men. They alſo ſeized on *Pulchra Vallis*, a large City near *Tholouſe*, and burnt in it 400 *Albigenſes*, and hanged 50 more. They took *Caſtres de Termis*, and in it *Raymond de Termis*, whom they put in Priſon, where he dy'd, and burnt in one large Fire his Wife, Siſter, and Virgin Daughter, with ſome other noble Ladies, when they could not perſwade them, by Promiſes or Threats, to embrace the Faith of the Church of *Rome*.

The Earl of *Tholouſe*, terrified with theſe Succeſſes of *Simon Montfort*, and fearing for himſelf and Country, raiſed a great Army, and had Forces ſent him from the Kings of *England* and *Aragon*, to whom he was related. For he married *Joan*, Siſter of the King of *England*, who had been formerly Queen of *Sicily*, and had by her a Son named *Raymond*. After her Death he married *Eleanor*, the Siſter of *Peter* King of *Aragon*. But this Army was defeated with a great Slaughter by the Croſs-bearers under the Command of Earl *Montfort*, and the Earl of *Tholouſe* driven from his Dominions. About the Beginning of the Year 1215. in a Council of certain Archbiſhops and Biſhops near *Montpellier*, held by the Pope's Legate, *Montfort* was declared Lord of all the Countries he had conquered, and the Archbiſhop of *Ambrun* was

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ſent to the Pope, to get him to ratify the Council's Sentence, and *Lewis*, eldeſt Son of *Philip* the *French* King, confirmed him in the Poſſeſſion.

During theſe Tranſactions Pope *Innocent* III. in the Year of our Lord 1215. called the famous *Lateran* Council, where *Dominick* was preſent, in which there were many Decrees againſt Hereticks, which were afterwards inſerted in the Decretals of *Gregory*, *Tit. de Hæret. cap.* 13. To this Council fled the Earl of *Tholouſe*, with his Son *Raymond*, being diſpoſſeſſed of his Dominions by *Montfort*. *Guido*, the Brother of Earl *Montfort*, appeared againſt him, and after many Debates, Earl *Raymond* is declared, *to be for ever excluded from his Dominions, which he had govern'd ill, and ordered to remain in ſome convenient Place out of his own Lands, in order to his giving ſuitable Proofs of his Repentance. Four hundred Marks of Silver were aſſigned him yearly out of his Revenues, as long as he behaved himſelf with an humble Obedience. But as all bore Teſtimony* to his Wife, *that ſhe was a good Catholick Lady*, ſhe was left in Poſſeſſion *of the Lands of her Dowry, provided ſhe cauſed the Commands of the Church to be obſerved, and ſuffered none to diſturb the Affairs of Peace or Faith.* However, all that the Croſs-bearers had taken was adjudged to *Montfort*; *and as to the reſt, which they had not ſeized on*, the Church decreed *it ſhould be kept by proper Perſons, to preſerve the Peace, and the Faith, that there might be ſome Proviſion for the only Son of the Earl of* Tholouſe, *according as he ſhould deſerve it in Part or Whole, after his coming to Age.*

Upon this Decree of the Synod *Raymond* went into *Spain*, and his Son *Raymond* into *Provence*, where, with the Help of many auxiliary Forces, he made War on *Montfort*. He recovered ſome Part of his Dominions, and even the City of *Tholouſe* it ſelf. Whilſt *Montfort* was endeavouring to retake it with a large Army, he was killed by the Blow of a Stone, and thereby the City delivered from the Siege. Thus *Raymond* recover'd by Arms his Father's Earldom, who died in the Year 1221. and was ſucceeded by this his Son, who could not obtain, with all his Endeavours, a Chriſtian Burial for his Father.

As Things thus took a different Turn, ſometimes according to the Pope's Wiſh, at other Times contrary to it, he preſſed the Inquiſition as the moſt effectual Remedy for the Extirpation of Hereticks. *Bzovius* relates, that at this Time many Hereticks were burnt in *Germany*, *France*, and *Italy*, and that in this Year no leſs than 80 Perſons were apprehended at once in the City of *Straſbourg*, of whom but a very few were declared innocent. *If any of theſe denied their Hereſy*, *Friar* Conrade *of* Marpurg, *an Apoſtolical Inquiſitor of the Order of* Predicants, *put them to the Trial of the Fire Ordeal, and as many of them as were burnt by the Iron, he delivered over to the Secular Power to be burnt as Hereticks; ſo that all who were accuſed, and put to this Trial, a few excepted, were condemned to the Flames.* a. 1215. §. 7.

About that Time Pope *Honorius* ſent a Reſcript to the Biſhop of *Boulogne*, anathematizing all Hereticks, and Violaters of the Eccleſiaſtical Immunity, in theſe Words: *We excommunicate all Hereticks of both Sexes, of whatſoever Sect, with their Favourers, Receivers, and Defenders; and moreover, all thoſe who cauſe any Edicts or Cuſtoms, contrary to the Liberty of the Church, to be obſerved, unleſs* Bzovius, a. 1218. §. 11.

*they remove them from their publick Records within two Months after the Publication of this Sentence. Also we excommunicate the Makers, and the Writers of those Statutes, and moreover all Governors, Consuls, Rulers, and Counsellors of Places, where such Statutes and Customs shall be published or kept, and all those who shall presume to pass Judgment, or to publish such Judgments, as shall be made according to them.*

Raynald. *a.* 1221. §. 41. In the mean while, after *Raymond* had recovered his Father's Dominions, the Inquisition was banished from the Country of *Tholouse*. But Pope *Honorius* III. left no Stone unturned to render the Earl obnoxious. He took Care to let him know by his Legate, that he should be stripp'd of his Dominions as his Father was, unless he returned to his Duty; and by Letters bearing Date the 8th of the Calends of *November*, he confirmed the Sentence of the Legate, by which he deprived him of all his Right in every Country that had ever been subject to his Father; and to give this Sentence its full Force, he commanded the *Dominicans*, and gave them full Power to proclaim an holy War, to be called the * Penance War, against the Hereticks. A vast Number met together at the Sound of this horrid Trumpet, and entred into this holy Society, as they believed it, wearing over a white Garment a black Cloak, and receiving the Sacrament for the Defence of the Catholick Faith.

Bzovius, *a.* 1221. §. 8. * *de pœnitentia.*

Raynald. *a.* 1223. §. 41. And that the Pope might more effectually subdue the Earl of *Tholouse*, he sent his Letters to King *Lewis*, who had succeeded his Father *Philip*, in which he exhorts him to take Arms against the *Albigenses* in this manner. *'Tis the Command of God*, If thou shalt hear say in one of thy Cities, which the Lord thy God hath given thee to dwell there, saying, Let us go and serve other Gods, which ye have not known, thou shalt smite the Inhabitants of that City with the Edge of the Sword, and shalt burn with Fire the City. *Altho' you are under many Obligations already to God, for the great Benefits received from him, from whom comes every good Gift, and every perfect Gift, yet you ought to reckon your self more especially obliged couragiously to exert your self for him against the Subverters of the Faith, by whom he is blasphemed, and manfully to defend the Catholick Purity, which many in those Parts, adhering to the Doctrine of Devils, are known to have thrown out.*

Usser. *de Succes. c.* 10. §. 46. *& seq.* During this there met a Synod at *Paris*, by the Pope's Command, about the Affair of the *Albigenses*, at which the Pope's Legate was present, with two Archbishops and twenty Bishops, where *Amalric*, Son of *Simon Montfort*, demanded the Restitution of the Lands of *Raymond* Earl of *Tholouse*, which had been adjudged to him and his Father by the Pope and *French* King. *Raymond* defended himself before the Legate, affirming his Country to be free from Heresy. He entreated the Legate to come to the several Cities of his Dominions, to enquire of all Persons the Articles of their Belief, that if he found any holding Opinions contrary to the Catholick Faith, he might punish them according to the Rigour of Justice: Or if he should find any City rebelling against him, he would use his utmost Power to compel it to make proper Satisfaction. For himself he offered, that if he had offended in any thing, which he doth not remember to have done, he would give full Satisfaction to God and Holy Church, as became

became a faithful Chriſtian, and if the Legate pleaſed, would ſubmit to an Examination of his own Faith: But this the Legate contemn'd; nor could the Catholick Earl (they are the Words of *Matthew Paris*) find any Favour, unleſs he would abjure his Patrimony, and renonunce it for himſelf and his Heirs. So that an Expedition of the Croſs-Bearers was again reſolved on, againſt Earl *Raymond*, in which *Lewis* the *French* King engaged, by the Perſuaſions of *Honorius* III. and many Earls and Prelates, for Fear of the Pope, who had rather have been abſent, as thinking it unworthy to oppreſs a faithful Man and good Chriſtian. And as *Raymond* held ſeveral cautionary Lands of the King of *England*, *Honorius* ſent him prohibitory Letters, to prevent his making War on the *French* King, or ſending Aſſiſtance to *Raymond*, for the Defence of them, in theſe Words:

*Make no War, either by your ſelf, or your Brother, or any other Perſon, on the ſaid King, ſo long as he is engaged in the Affair of the Faith, and Service of Jeſus Chriſt; leaſt by your obſtructing the Matter, which God forbid, the King, with his Prelates and Barons of* France, *ſhould be forced to turn their Arms from the Extirpation of Hereticks to their own Defence. As for us, ſince we could not excuſe ſuch a Conduct, and Inſtance of great Indevotion, we could not impart to you our paternal Favour, which otherwiſe, in all proper Seaſons, ſhould never be wanting to you. And as we are not only ready to do you Juſtice, but even Favour, as far as God enables us, we have taken Care, that whatever becomes of Hereticks and their Lands, your Rights, and thoſe of other Catholicks, ſhall be ſafe, according to the Decrees of the foreſaid Council.* Raynald. a. 1226. §. 24.

So that the *French* King undertook the Expedition, and with a large Army, ſat down firſt before *Avignon*. But the City was valiantly defended, and E. *Raymond* did much Damage to the Beſiegers, killing many of them. A great Part of the Army alſo, with the King himſelf, died of the Diſentery and other Diſtempers. The Pope's Legate concealed the King's Death for ſome Time, leaſt the whole Army ſhould be forced to break up with Diſgrace from the Seige of a ſingle City, without being able to take it. At length, when the City was not to be conquered by Force, the Legate had recourſe to Fraud, ſetting on Conferences for Peace, and giving Hoſtages for Security. And when he could not perſuade the Deputies of the City to yield it up to him, he deſired that they would admit him, with the Prelates who were with him, into the City, pretending that he would examine into the Faith of the Inhabitants; and affirming with an Oath, that he put off the Siege of the City for no other Cauſe, but to ſeek the Welfare of their Souls. He added, that the Cry of their Infidelity had aſcended to the Pope; and that he would enquire whether they had done altogether according to the Cry which was come up unto him. The Citizens truſting to the Legate, and ſuſpecting nothing of Fraud, agreed under the forementioned Condition, and the Security of an Oath on both Sides, that he, with the Prelates and their Servants, ſhould enter the City. But the *French*, as it had been privately agreed, perfidiouſly followed them, and violently ruſhed through the Gates as they were opened, and in Defiance of their Oath, took the Citizens, bound them in Chains, plundered

dered the City, killed many of the Inhabitants; and having thus, by Treachery, obtained the Victory, broke down the Towers and Walls of that noble City. Thus *Matthew Paris* relates this Story.

After *Avignon* was thus treacherously taken, they bent all their Forces against *Tholouſe*. That City ſuſtained the Siege for a long while, E. *Raymond* omitting nothing that became the moſt valiant Commander: But at length it was forced to ſurrender. As for *Raymond*, after ſeveral Conferences, he was forced to go to *Paris*, where he obtain'd Peace upon theſe Conditions; That as *Tholouſe*, and the Biſhoprick of *Tholouſe* was given to him only for his Life, he ſhould not leave them to any one of his Heirs; that none of them, or his Daughters, ſhould, after him, claim any Right, excepting thoſe only who deſcended from his only Daughter *Joan*, and the Brother of King *Lewis*, Lord *Alphonſus*: That he ſhould abjure his Hereſy, and promiſe to be ever after in Subjection to the See of *Rome*: That he ſhould expel all Hereticks, nor by any Means defend them: That he ſhould take the Croſs, and at his own Expence war five Years againſt the *Saracens*, and other Enemies of the Faith and Church: That he ſhould pay 20000 Marks of Silver, and yield up to the King and Church, all the Country beyond the Biſhoprick of *Tholouſe* to the Eaſt, on this Side and the other Side the *Rhone*. After this he ſurrender'd himſelf at the *Louvre*, to the King's Guards, till his Daughter, and five of his beſt fortified Caſtles were delivered up to his Meſſengers, and the Walls of *Tholouſe* entirely demoliſhed. When all this was done, in the Preſence of two Cardinals of the Church of *Rome*, one Legate in *France*, and the other in *England*, he was led to the high Altar, in a Linen Garment, and with naked Feet, and abſolved from the Sentence of Excommunication. *Bernard*, in his *Cronicon* of the *Roman* Pontiffs, relating this Hiſtory, ſays, as *Bzovius* tells us; *How holy a Sight it was, to ſee ſo great a Man, who for a long while could reſiſt ſo many and great Nations, led naked in his Shirt and Trouſes, and with naked Feet, to the Altar.*

Raynald. *a.* 1228. §. 3. Bzovius, §. 28.

Uſſer. *de Succeſ. cap.* 10. §. 58.

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## CHAP. XII.

### *Several* COUNCILS *held, and the Laws of the Emperor* FREDERICK II. *by which the Office of the* INQUISITION *was greatly promoted.*

THE Earl of *Tholouſe* being thus ſubdued, ſeverer Laws were enacted againſt Hereticks. *Raymond* himſelf made many Laws againſt them; ordered all the Hereticks in his Country to be apprehended; and that the Inhabitants of every City or Caſtle ſhould pay one Mark for every Heretick, to the Perſon who took him. *Lewis* alſo, the *French* King, put forth a Conſtitution

Bzovius, *a.* 1228. §. 6.

ſtitution againſt Hereticks, in which he commands the immediate Puniſhment of all who ſhould be adjudged Hereticks by the Biſhop, or any other Eccleſiaſtical Perſon. He deprives all their Favourers of the Benefit of the Laws; commands their Goods to be confiſcated, and never to be reſtored to them or their Poſterity; and that the *Ballive* ſhould pay two Marks of Silver to any one that apprehended an Heretick.

And now the Pope laboured with all his Might, to confer a greater Power on the Inquiſitors, and to eſtabliſh for them a Tribunal, in which they might ſit, and pronounce Sentence of Hereſy and Hereticks, as Judges delegated from himſelf, and repreſenting his Perſon. But to this there were in the Beginning great Obſtacles, the People not eaſily admitting that new Tribunal, rightly judging that great Numbers would be deſtroyed by the Informations of the Inquiſitors. So that they were very ill looked on by all, even before they had obtained the Power of Judging: For the Magiſtrates and wiſer Part of the People, foreſaw what muſt happen, upon their being inveſted with ſuch an Authority; and were far from thinking it ſafe, that their Fortunes and Lives, and thoſe of their Fellow-Citizens, ſhould be expoſed to the Pleaſure of the Popes Emiſſaries, and that they ſhould be made entirely obnoxious to their Tyranny.

But upon the Conqueſt of the *Albigenſes*, and the taking their Countries and Cities, the Pope cauſed the Inquiſition to proceed with greater Succeſs. For in *France*, as *Pegna* obſerves in *John Calderin*'s Treatiſe about the Form of Proceeding againſt Hereticks; *There were held ſeveral Councils at diverſe Times and Places, of the* French *Archbiſhops, about the Method of Proceeding againſt, and puniſhing Hereticks. In the Year of our Lord,* 1229. *there was a Council at* Tholouſe, *where many Statutes were made; which were publiſh'd there by* Romanus, *Cardinal Deacon of St.* Angelus, *Legate of the Apoſtolick See. In the Year* 1235. *another Council was held at* Narbonne, *of the* French *Prelates, in which this Affair was more fully diſcuſſed than at* Tholouſe. *Afterwards,* An. 1246. *there was another Provincial Council at* Biterre, *when theſe Things were more particularly ſettled, than in the two former. The Acts of theſe Councils were not diſcovered for a long while, but found ſome Time ſince in the* Vatican *Library, and in an old MSS. Parchment, which was brought to* Rome *from the Inquiſition at* Florence. *Pegna* adds, that he would ſoon publiſh theſe Councils, with his Comments on them; and ſays they are very uſeful, and ſuited to the Office of the Inquiſitors of heretical Pravity. But I could never yet learn whether they have ſeen the Light.

Theſe were the Tranſactions in *France*. In *Rome*, about the Year 1230. *Raymond* of *Pegnaforte*, who was a *Dominican*, compiled, by the Command of Pope *Gregory* IX. the Books of *Decretals*, into which he collected all the Laws of the Councils and Popes againſt Hereticks. Afterwards *Boniface* VIII. ordered a Sixth Book of the *Decretals* to be wrote. After this were added the *Clementines* and the *Extravagantes*, made on various Occaſions, that the Inquiſitors might want nothing for the full Exerciſe of their Office: And as the *Valdenſes* had ſtolen into *Arragon* and *Navarre*, chiefly from the neighbouring

bouring *Languedock*, there was a Synod held at *Tarracona*, about the Year 1240. in which there were many Things enacted concerning Hereticks and their Puniſhments.

Even the Emperor *Frederick* II. himſelf, put forth many Laws againſt Hereticks, their Accomplices and Favourers, at *Padua*, by which he greatly promoted the Inquiſition. In the firſt, which begins *Commiſſi nobis*, he ordains, that thoſe Hereticks who were committed by the Church to the ſecular Court, ſhould be put to Death without Mercy: That Converts through Fear of Death, ſhould be impriſoned: That Hereticks, with their Abettors, where-ever they were found, ſhould be kept in Cuſtody till they were puniſhed according to the Sentence of the Church: That Perſons convict of Hereſy, who had fled to other Places, ſhould be taken up: That ſuch as were relapſed ſhould be puniſhed with Death: That Hereticks and their Favourers, ſhould be deprived of the Benefit of Appeal; that their Poſterity, to the ſecond Generations, ſhould be incapable of all Benefices and Offices; but that their Heirs ſhould be indemnified if they diſcovered their Parents Wickedneſs. And laſtly, he takes under his imperial and ſpecial Protection, the predicant Friars, deputed for the Faith againſt Hereticks, in all the Parts of the Empire, and all others who were ſent for, and ſhould come for the Judgment of Hereticks, commanding the Magiſtrates ſeverely to puniſh all convict Hereticks, after Condemnation, by the Eccleſiaſtical Sentence. In his ſecond Edict, which begins, *Inconſutilem tunicam*, after expreſſing great Abhorrence of the Crime of Hereſy, he commands all impenitent Hereticks to be burn'd with Fire, and the Favourers of the *Patarenes* to be baniſhed. In his third, beginning *Patarenorum receptatores*, he deprives the Children of Hereticks of their Honours, unleſs any of them ſhould diſcover one of the Sect of the *Patarenes*; and puts Hereticks themſelves under the Ban, confiſcating their Eſtates. In his forth, beginning *Catharos*, he condemns all ſuſpected Perſons as Hereticks, if they do not purge themſelves within a Year; commands his Officials to exterminate Hereticks from all Places ſubject to them; orders that the Lands of the Barons ſhall be ſeized by the Catholicks, if they do not purge them from Hereticks, within a Year after proper Admonition, and ordains many Puniſhments againſt the Favourers of Hereticks, and the moſt ſevere ones againſt all who apoſtatiſe from the Faith: But as the Office of the Inquiſition was very much promoted by theſe Laws, 'tis worth while to give them entire.

The firſt is this:

FREDERICK, *by the Grace of God, Emperor of the* Romans, *and always Auguſt, King of* Jeruſalem, *and* Sicily, *to his beloved Princes, the venerable Archbiſhops, Biſhops, and other Prelates of the Church; to the Dukes, Marquiſſes, Earls, Barons, Governors, Scultets, Burgraves, Advocates, Judges, Miniſters, Officials, and all other his faithful Subjects, throughout the whole Empire, to whom theſe Letters ſhall come, Greeting and all Happineſs.*

*The Care of the Imperial Government, committed to us from Heaven, and over which we preſide, by the Gift of God, and the Height of our Dignity, demand the material Sword, which is given to us ſeparately from the Prieſthood, againſt the Enemies of the Faith, and for the Extirpation of heretical Pravity, that we ſhould purſue, with Judgment and Juſtice, thoſe Vipers and perfidious Children, who inſult the Lord and his Church, as though they would tare out the very Bowels of their Mother. We ſhall not ſuffer theſe Wretches to live, who infect the World by their ſeducing Doctrines, and being themſelves corrupted, more grievouſly taint the Flock of the Faithful. We therefore appoint and ordain, that Hereticks, of whatſoever Name, throughout our Empire, being condemned by the Church, and delivered over to the ſecular Power, ſhall be puniſhed according to their Deſerts. If any of them, after their being apprehended, ſhall return to the Unity of the Faith, through the Fear of Death, let them ſuffer perpetual Impriſonment, and do Penance according to the Canons. Farther, whatſoever Hereticks ſhall be found in the Cities, Towns, or other Places of the Empire, by the Inquiſitors appointed by the Apoſtolick See, or other orthodox Perſons zealous for the Faith; let thoſe who have Juriſdiction there, ſeize their Perſons, at the Inſtance of the Inquiſitors and other Catholicks, and keep them in ſtrict Cuſtody, till being condemned by the Cenſure of the Church, they periſh by an accurſed Death, for their denying the Sacraments of Faith, and Life. We condemn alſo to the ſame Puniſhment, all whom the Craft of the deceitful Enemy ſhall employ as Advocates, unlawfully to defend the Error of theſe Hereticks, eſpecially ſince thoſe who are defiled with ſuch Wickedneſs, are equal in Guilt; unleſs they deſiſt upon proper Admonition, and wiſely conſult the Preſervation of their Lives. We ſubject alſo to the ſame juſt Puniſhment, thoſe, who being convicted of Hereſy in any one Place, fly to another, that they may more ſafely pour out the Poiſon of their heretical Pravity; unleſs in this Inſtance, they have a Teſtimony in their Favour from thoſe who have been converted to the Faith from the ſame Error, or from thoſe who have convinced them of their Hereſy, which in this Caſe we allow may lawfully be done. We condemn alſo to Death, all ſuch Hereticks, who being brought to Trial, ſhall abjure their Hereſy when in extreme Danger of Life, if afterwards convicted of having diſſembled and taken a falſe Oath, and of having willingly relapſed into the ſame Error, that thereby their vile Diſſimulation may be more deſtructive to themſelves, and their Falſehood meet with its deſerved Puniſhment. We farther deprive Hereticks, their Receivers and Favourers, of all Benefit of Proclamation and Appeal; being willing that every Seed of this heretical Stain ſhould, by all Means, be extirpated out of our Empire, in which the true Faith ought ever to be preſerved. Moreover, as we have received greater Favours from the Divine Mercy, and are exalted to an higher Dignity than the Children of Men, we ought to pay the more ſolemn Services of Gratitude. If then we manifeſt our Diſpleaſure againſt thoſe who contemn us, and condemn Traytors in their Perſons, and by ſtripping their Children of their Inheritance, how juſtly ſhall we be more incenſed againſt thoſe who blaſpheme the Name of God, and revile the Catholick Faith, and deprive, by our Imperial Authority, all Hereticks, their Receivers, Abettors and Advocates, and their Heirs and Poſterity, even to the ſecond Generation, of their temporal Eſtates, publick Offices and Honours, that they may continually mourn at the Remembrance of their Fathers Crimes,*

*and certainly know that God is a jealous God, puniſhing the Iniquities of the Fathers upon their Children. Not that we would exclude from our Mercy thoſe, who keeping themſelves free from the Hereſy of their Fathers, ſhall diſcover their ſecret Perfidiouſneſs: For whatever Puniſhment their Guilt may receive, we would not ſubject their innocent Children to it. We hereby alſo declare our Pleaſure, that we appoint the Friars Predicant of the Order of Predicants, to take Care of the Faith againſt Hereticks, in all Parts of our Empire. We alſo take under our ſpecial Imperial Protection, all others whatſoever, that ſhall come to judge Hereticks, and grant them Leave to go, ſtay or return, except thoſe who are under the Ban of the Empire; and Will that none ſhall injure them; but that they ſhall have the Aſſiſtance and Recommendation of all the Faithful in the Empire. We farther command all, and ſingular of you, that whereſoever, and to whomſoever of you they ſhall come, ye receive them kindly, and keep their Perſons ſafe from all the Attempts of Hereticks, who may lay in wait for them, and grant them your Advice, ſafe Conduct and Aſſiſtance in the Execution of Affairs, ſo acceptable before God. And as to all Hereticks they ſhall diſcover to you in their Juriſdiction, let them be apprehended, and kept in ſafe Cuſtody, till being eccleſiaſtically condemned, they ſhall ſuffer the deſerved Puniſhment; as knowing that in ſo doing, their Obedience will be pleaſing to God, and acceptable to us,* viz. *in aſſiſting, with their utmoſt Endeavours, the ſaid Friars to root out of all the Parts of our Empire, this new unheard of, and infamous heretical Pravity. And if any one ſhall be negligent and remiſs in this Matter, let him know that he ſhall be unprofitable before God, and juſtly incur our higheſt Diſpleaſure. Dated at* Padua, Feb. 22.

## The ſecond Conſtitution of the Emperor *Frederick*.

FREDERICK, *by the Grace of God,* &c. *The Hereticks are endeavouring to rent the ſeamleſs Coat of our God, and raging with deceitful Words, which declare their ſchiſmatical Intention, ſtrive to divide the Unity of the indiviſible Faith it ſelf, and to ſeparate the Sheep from the Care of* Peter, *to whom they were committed, by the good Shepherd, to be fed. Theſe are the ravenous Wolves within, who put on the Meekneſs of the Sheep, that they may the better enter into the Lord's Sheepfold. Theſe are the worſt Angels: Theſe are Sons of Naughtineſs, of the Father of Wickedneſs, and Author of Deceit, appointed to deceive ſimple Souls: Theſe are Adders who deceive the Doves: Theſe are Serpents, which crawl in privately, and under the Sweetneſs of Honey, vomit out Poiſon: So that whilſt they pretend to adminiſter the Food of Life, they ſting with their Tail, and mingle the moſt bitter Poiſon into the Cup of Death. Theſe Sects are not now known by their ancient Names; either that they may conceal themſelves, or what is yet more execrable, not content to be called by a Name from amongſt themſelves, as the* Arians *were from* Arius, *and the* Neſtorians *from* Neſtorius; *they call themſelves* Patarenes, *after the Example of the Martyrs, who ſuffered Martyrdom for the Catholick Faith, as though they themſelves were expoſed to Sufferings. Theſe miſerable* Patarenes, *who do not believe the eternal Trinity, by their complicated Wickedneſs offend againſt Three,* viz. *God, their Neighbours and Themſelves. Againſt God, becauſe they do not acknowledge the Son and the true Faith. They deceive their Neighbours; whilſt*

*under*

*under the Pretence of ſpiritual Food, they miniſter the Delights of heretical Pravity. But their Cruelty to themſelves is yet more ſavage; ſince, beſides the Loſs of their immortal Souls, they expoſe their Bodies to a cruel Death; being prodigal of their Lives, and fearleſs of Deſtruction, which by acknowledging the true Faith they might eſcape, and which is horrible to expreſs, their Survivors are not terrified by their Example. Againſt ſuch Enemies to God and Man we cannot contain our Indignation, nor refuſe to puniſh them with the Sword of juſt Vengeance; but ſhall purſue them with ſo much the greater Vigour, as they appear to ſpread wider the Crimes of their Superſtition, to the more evident Injury of the Chriſtian Faith, and of the Church of* Rome, *which is adjudged to be the Head of all other Churches; inſomuch that they have propagated their Falſehood from the Borders of* Italy, *and the Parts of* Lombardy, *where we are certainly informed their Wickedneſs doth more eſpecially abound, even to our Kingdom of* Sicily. *This being moſt highly offenſive to us, we ordain in the firſt Place, that the Crime of Hereſy, and of every condemned Sect, whatever be the Name of it, ſhall be reckoned amongſt the publick Crimes, as the ancient Laws declare. Yea, let ſuch know that they ſhall be deemed guilty of High Treaſon it ſelf. For as the Crime of Rebellion reaches to the Loſs of the Life and Goods of the Perſons condemned, and after they are dead, makes their Memory infamous; let the ſame be obſerved as to the aforeſaid Crime, of which the* Patarenes *are guilty. And that the Wickedneſs of thoſe who walk in Darkneſs, becauſe they are not Followers of God, may be diſcover'd, we Will, that if there be none to acccuſe them, ſtrict Enquiry be made by our Officials after ſuch who commit theſe Crimes, as well as after other Malefactors; and that all who are informed againſt, if there be but the leaſt Suſpicion, be examined by the Eccleſiaſticks and Prelates: And if they ſhall find them to err in any one Point from the Catholick Faith, we, by this our preſent Edict, condemn the* Patarenes, *and all other Hereticks, of every Kind and Name, to ſuffer Death, committing them to the Puniſhment of the Flames, that they may be burn'd alive in publick View; if after being paſtorally admoniſhed to forſake the dark Snares of the Devil, they will not acknowledge the God of Light. Nor are we diſpleaſed that herein we gratify them, ſince we are aſſured they can reap no other Fruit of their Error but Puniſhment only. For ſuch, let no one dare to interceed with us; if any ſhall preſume to do it, let him know he ſhall juſtly incur our Indignation. Dated at* Padua, Feb. 22.

The third Law is this:

*We condemn the Receivers, Accomplices, and Abettors of the* Patarenes, *to Forfeiture of their Goods and perpetual Baniſhment; who by their Care to ſave others from Puniſhment, have no Fear or Regard for themſelves. Let not their Children be in any wiſe admitted to Honours, but always accounted infamous; nor let them be allowed as Witneſſes in any Cauſes, in which infamous Perſons are refuſed. But if the Children of thoſe who favour the* Patarenes *ſhall diſcover any one of them, ſo that he ſhall be convicted, let them, as the Reward of their Acknowledgment of the Faith, be entirely reſtored by our imperial Favour, to their forfeited Honour and Eſtate.*

The fourth Conſtitution of the Emperor *Frederick.*

*We condemn to perpetual Infamy, withdraw our Protection from, and put under our Ban,* * *the* Puritans, Patarenes, Speromiſts, Leoniſts, Arnaldiſts, Circumciſed, Paſſagines, Joſepines, Garatenſes, Albanenſes, Franciſci, Begardi, Commiſſi, Valdenſes, Romanuli, Communelli, Varini, Ortuleni, *thoſe of the black Water, and all other Hereticks of both Sexes, and of whatſoever Name; and ordain that their Goods ſhall be confiſcated in ſuch Manner, that their Children may never inherit them, ſince 'tis much more heinous to offend the eternal, than the temporal Majeſty. But if any come under a bare Suſpicion, unleſs by a proper Purgation they ſhall demonſtrate their Innocence, at the Command of the Church, according to the Degree of their Suſpicion, and the Quality of their Perſon, let them be accounted infamous by all, and as under our Ban: And if they remain ſuch by the Space of one Year, we condemn them as Hereticks. We ordain alſo, by this our perpetual Edict, that our Officers and Conſuls, or Rectors, whatever be their Offices, ſhall take a publick Oath for the Defence of the Faith; and that they will,* bona fide, *ſtudy to their utmoſt, to exterminate from all the Lands ſubject to their Juriſdiction, all Hereticks ſpecified by the Church; ſo that whoſoever ſhall at any Time henceforward be admitted into any Office, either perpetual or temporary, he ſhall be obliged to confirm this Edict by an Oath; otherwiſe let them not be owned as our Officers or Conſuls, or any Thing like it. We pronounce all their Sentences null and void. But if any temporal Lord, having been cited and admoniſhed by the Church, ſhall have neglected to purge his Dominions from heretical Pravity, after a Year elapſed from the Time of his Admonition, let his Country be ſeized by the Catholicks, and let them poſſeſs it without Oppoſition, and preſerve it in the Purity of the Faith, by the Extirpation of Hereticks; ſaving the Right of the principal Lord, provided that he gives no Impediment or Obſtruction. But let thoſe who have no principal Lord be ſubject to the ſame Law. Furthermore, we put under our Ban, thoſe who believe, receive, defend, and favour Hereticks; ordaining, that if any ſuch Perſon ſhall refuſe to give Satisfaction within a Year after his Excommunication, he ſhall be,* ipſo jure, *infamous, and not admitted to any Kind of publick Offices, or the like, nor to chuſe any Perſons to them, nor to be a Witneſs. Let him alſo be* † *Inteſtable; and let him not have the Power of making a Will,*

* Certain Hereticks, whoſe Opinions are now almoſt equally unknown as the Reaſon of their Names.

† *Inteſtabilis* or *inteſtatus.* Let him be as a condemned and infamous Perſon. Some of the Councils had decreed, that every Man ſhould diſtribute a certain Part of his Goods, the Tyth for Inſtance, to pious Uſes, for the Redemption of his Soul; and whoſoever did not this, was eſteemed a wicked Wretch, that had no Care for his Salvation. On this Account the Prieſts were commanded to exhort dying Perſons to waſh away their Sins by ſacramental Confeſſion, and to diſpoſe of ſome Part of their Effects in Favour of the Church or Poor, for the Salvation of their Souls. This grew ſo into Uſe, that the Abſolution and Viaticum were denied to ſuch as did not obey the Prieſts Orders in this Matter, as profligate Wretches, unmindful of their Salvation; inſomuch that they made no Difference between a Perſon who died without making any ſuch Diſpoſition of his Effects, and one that ſlew himſelf, but accounted them both equally infamous. *Du Freſne in voce.* And therefore I think the Meaning of the Word *Inteſtabilis*, in this imperial Conſtitution, is, That he ſhall be deprived of the Liberty of making any ſuch Diſpoſition of his Effects to pious Uſes, by Will, either to ſave his Soul, or prevent his being infamous.

nor

*nor of receiving any Thing by Succeſſion or Inheritance. Furthermore, let no one anſwer for him in any Affair, but let him be obliged to anſwer others. If he ſhould be a Judge, let his Sentence be of no Effect, nor any Cauſes be heard before him. If an Advocate, let him never be admitted to plead in any ones Defence. If a Notary, let no Inſtruments made by him be valid. Moreover we add, that an Heretick may be convicted by an Heretick; and that the Houſes of the* Patarenes, *their Abettors and Favourers, either where they have taught, or where they have laid Hands on others, ſhall be deſtroy'd, never to be rebuilt. Dated at* Padua, Feb. 22.

*Paulus Servita* tells us, in his Hiſtory of the *Venetian* Inquiſition, that theſe Laws were made in the Year of our Lord 1244. *Bzovius* and *Raynald* refer them to the Year 1225. But whatever was the Year of their Publication, 'tis certain that the Inquiſition was greatly promoted by them; and that they were approved and confirmed, by ſome of the Popes Bulls, in which they were inſerted.

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## CHAP. XIII.

### *The* INQUISITION *introduced into* Aragon, France, Tholouſe *and* Italy.

IN the Year of our Lord 1231. in the Month of *February*, ſome of the *Patarenes* were diſcovered in the City of *Rome:* Some of them who were impenitent were burn'd alive; others of them were ſent to the Church of *Monte Caſino*, and to *Cava*, to be there kept till they recanted. The Pope and *Roman* Senate made alſo ſevere Laws againſt Hereticks; and becauſe the *Milaneze* was moſt infected with Hereſy, *Frederick*, by an imperial Edict, commanded *all convicted of that Crime to be delivered over to the Flames, or their blaſphemous Tongues to be cut out, if the keeping them alive would prove a Terror to others*; which *Raynald* affirms *to be a ſevere, but moſt juſt Edict.* Raynald. *a.* 1231. §. 13. §. 14, 15, 16.

This very Year Pope *Gregory* IX. gave a famous Inſtance of his Tyranny and Injuſtice. *Ezelinus*, Lord of *Padua*, and Vaſſal of the Emperor *Frederick*, conſtantly adhered to his Maſter, and faithfully took the Emperors Part againſt the Faction of the Pope. On this the Pope endeavoured to render him infamous by the Charge of Hereſy; that under this ſpecious Pretence he might expel him his Dominions: But as he failed in this, he ſtirred up his Children againſt him this very Year, that being delivered by them into his Power, he might puniſh him as he pleaſed. In order to this, he ſent Letters to *Ezeline*, beſeeching him to take better Meaſures, and admoniſhed him to renounce his Errors. A Copy of theſe Letters he ſent to his two Sons, young *Ezeline* and *Alterick*, who pretended to abhor their Father's Wickedneſs, and promiſed *Gregory* of their own Accord, as *Raynald* relates, that they would §. 20, &c.

deliver

deliver their miſerable Father into the Hands of the Cenſors of the Faith, if he perſiſted obſtinately in his Wickedneſs, that they might not loſe the Inheritance of their Anceſtors. Upon this the Pope gave them to underſtand, that he had deferred coming to Extremities againſt their Father for their Sake, whom he believed ſtill to continue in the true Worſhip of God, that they might not be involved in his Misfortune; for, ſays he, the Crime of Hereſy, like that of High Treaſon, diſinherits the Children. Then he beſeeches and commands them, that they would uſe all poſſible Means to deter their Father from Hereſy, and the Protection of Hereticks, and that if he deſpiſed their Admonitions, they would conſult their own Safety, by ſending him, as they had promiſed, before the Pope's Tribunal. *Nor is it to be wonder'd at*, adds *Raynald*, *that this Advice ſhould be given to the Sons againſt their own Father, ſince the Cauſe of the divine Being, of whom all Paternity is named, is to be preferred to all human Affections.*

Bzovius, *a.* 1232. §. 8. The Year following, 1232. the Inquiſition was brought into *Aragon*. The Biſhop of *Hyeſca* in *Aragon* was reported to err in Matters of Faith. Upon this *Gregory* committed the Office of making Inquiſition againſt him to Friar *Peter Caderite*, of the *Predicant* Order, and commanded *James* King of the *Aragons*, that he ſhould not ſuffer him, or thoſe whoſe Advice or Counſel he ſhould think fit to make uſe of, to be injured by any Means whatſoever. And §. 9. that he might entirely extirpate Hereſy out of the Province of *Tarracon*, he gave Commiſſion to the Archbiſhop of *Tarracon* and his Suffragans, to conſtitute Inquiſitors againſt heretical Pravity of the Order of *Predicants*, by a Bull, in theſe Words: *Since the Evening of the World is now declining*, &c. *we admoniſh and beſeech your Brotherhood, and ſtrictly command you by our written Apoſtolick Words, as you regard the divine Judgment, that with diligent Care you make Enquiry againſt Hereticks, and render them infamous, by the Aſſiſtance of the Friars* Predicants, *and others whom you ſhall judge fit for this Buſineſs; and that you proceed againſt all who are culpable and infamous, according to our Statutes lately publiſhed againſt Hereticks, unleſs they will from the Heart abſolutely obey the Commands of the Church; which Statutes we ſend you incloſed in our Bull; and that ye alſo proceed againſt the Receivers, Abettors, and Favourers of Hereticks, according to the ſame Statutes. But if any will quite abjure the heretical Plague, and return to the Eccleſiaſtical Unity, grant them the Benefit of Abſolution according to the Form of the Church, and enjoin them the uſual Penance.* Amongſt the Inquiſitors appointed by them, Friar *Raymond Peciafortius Barninonenſis* was particularly famous, who wrote a Formulary, of the Manner of proceeding againſt Hereticks, beginning, *I believe that Hereticks*, &c. which was of ſo great Authority, that *Gregory* enjoined *William* Archbiſhop Elect of *Tarracon* to follow it in every thing. *Bzovius* gives us this Formulary entire, in his Annals, under the Year 1235. §. 5.

*a.* 1234. §. 8. In *France* there were not wanting ſome, who ſtirred up the Remains of the *Albigenſes*, ſo that, as *Bzovius* ſays, they very grievouſly oppreſſed the Inquiſitors and other Perſons, appointed by the Apoſtolick See for the Direction and Defence of the Catholick Faith *. *Gregory* IX. excited *Lewis* the King

* *i. e.* Perhaps they ſtrove to prevent ſo intolerable a Yoke being put on their Necks.

againſt

aginſt them, and adviſed him to join with the Archbiſhop of *Vienne*, ſome Perſon famous for his Wiſdom and Juſtice, who might know what pertained to the Eccleſiaſtick Right, what to the Royal, and what to the Rights of others. He alſo exhorted *Blanche* the Queen to perſwade her Son to perfect ſo righteous a Work. The ſame Author tells us, that the ſame Year, after great §. 24.
ſtruggling, the Inquiſition was brought into *Tholouſe*, upon the firſt Day of the Feſtival of *Dominick*, but not without a great Tumult of the People, raiſed by a ſeditious Sermon of a ſilly Monk, upon Occaſion of the Death of a certain Matron of *Tholouſe*, who lived near the Convent of the *Predicants*, and had been hereticated before ſhe died. " When this came to be publick, Friar " *William Arnaldi*, an Inquiſitor, condemned her for an Heretick, and left " her to the ſecular Court. After this the Prior of the Friars *Predicants*, " *Fu Pontius*, of *Agde*, explaining thoſe Words of *Eccleſiaſtic.* xlviii. Elias " *the Prophet roſe as Fire, and his Word burnt like a Torch*, to a vaſt Company " that had met together about Nine, and adapting his Words to the Feſtival " and the preſent Buſineſs, turned himſelf, and bowed and bent to the *Eaſt* " and *Weſt*, to the *North* and *South*, and cried out towards every Part with as " loud a Voice as he could, repeating it oftentimes, *In the Name of God, and* " *his Servant St.* Dominick, *I do from this Hour renounce all Faith with Here-* " *ticks, their Favourers, and Believers.* Then he bawled out again: *I adjure* " *the Catholicks, in the Name of God, that laying aſide all Fear, they would give* " *their Teſtimony to the Truth:* And thus left off. About ſeven Days after this " Meeting many came in, by whoſe Means the Inquiſitors found out a Way " to the Receſſes of Darkneſs. Many of them abjured their Hereſy, ſome diſ- " covered others, and promiſed that at a proper Opportunity they would de- " tect more." However, the Inquiſitors were the Year following ejected from *Tholouſe*. But that they were reſtored there again, we learn from *Luke Wad-* Bzovius,
*ding*, who in his Hiſtory of the Friars Minors, relates, that in the Year 1238. *a.* 1235.
there were at *Tholouſe* Friar *William Arnaldi* of the *Predicant* Order, and *Sera-* §. 4.
*phinus de S. Tiberio* of the Minors, Inquiſitors of Hereticks. The ſame Author gives us alſo the Epiſtle of *Gregory* IX. to the Deacon of the Order of Friars Minors in *Navarre*, and to Maſter *Peter de Leedegaria*, a Predicant Friar, living at *Pampilona*, which begins, *Rumor*, &c. in which, amongſt other Things, there is this: *Since therefore, according to the Office enjoined us, we are bound to root out all Offences from the Kingdom of God, and as much as in us lies to oppoſe ſuch Beaſts, we deliver into your Hands the Sword of the Word of God, which, according to the Words of the Prophet,* Jer. xlviii. 10. *ye ought not to keep back from Blood; but, inſpired with a Zeal for the Catholick Faith, like* Phineas, *make diligent Inquiſition concerning theſe peſtilent Wretches, their Believers, Receivers, and* Exod. xxxii. 33.
*Abettors, and proceed againſt thoſe who by ſuch Inquiſition ſhall be found guilty, according to the canonical Sanctions, and our Statutes, which we have lately publiſhed to confound heretical Pravity, calling in againſt them, if Need be, the Aſſiſtance of the ſecular Arm. Given at the* Lateran, 8 *Cal.* Maii, *An.* 12.

It can't be doubted that the Office of the delegated Inquiſition was in theſe Bzovius,
Times introduced into *Italy*, becauſe the Inhabitants of *Placentia* drove out *a.* 1234.
from §. 25.

a. 1235. §. 2. from their City Friar *Rowland* the Inquisitor in the Year 1234. The Year following the Pope committed the Office of the Inquisition to the Prior of St. *Mary ad gradus*, and to Friar *Radulph*, a Predicant at *Viterbo*, commissioning them to enquire out all Hereticks coming from other Cities, and to absolve from Censures such who abjured their Heresy, and reconciled themselves to the Church. Upon this Affair he gave Letters to both of them at *Perouse* the second of the Ides of *August*, and ninth Year of his Pontificate. But two Years after, 13 Cal. of *June*, and the eleventh of his Pontificate, at *Viterbo*, he sent Letters to the Provincial of *Lombardy*, a Predicant, by which he invested him with the Power of making Inquisitors. The Letters begin thus: *Ille humani*, &c. I think it worth while to give you them entire, because they very distinctly represent the Office given to the Inquisitors. After beginning with the usual Complaint of the Rise of Heresy, he enjoins the Inquisitors their Office in these Words: *We therefore being willing to prevent the Danger of so many Souls, entreat, admonish, and beseech your Wisdom, and strictly command you by these Apostolick Writings, as you have any Regard for the Divine Judgment, that you appoint some of the Brethren committed to your Care, Men learned in the Law of the Lord, and such as you know to be fit for this Purpose, according to the Limitations of your Order, to be Preachers General to the Clergy and People assembled, where they can conveniently do it; and in order the more effectually to execute their Office, let them take into their Assistance some discreet Persons, and carefully enquire out Hereticks, and such as are defamed for Heresy. And if they find out either any really culpable, or such who are defamed, let them proceed against them according to our Statutes, lately published against Hereticks, unless upon Examination they will absolutely obey the Commands of the Church. Let them also proceed against the Receivers, Defenders, and Abettors of Hereticks, according to the same Statutes. But if any will abjure their heretical Defilement, and return to the Ecclesiastical Unity, let them have the Favour of Absolution according to the Form of the Church, and be enjoined the usual Penance. But let them be more especially careful, that such who appear to return, don't commit Impiety under the specious Pretence of Piety, and the Angel of* Satan *thus transform himself into an Angel of Light. Therefore let them peruse the Statutes which we have thought fit to publish concerning this Affair, that they may beware of their Subtlety, according to the Discretion given them of the Lord. And that they may more freely and effectually execute the Office committed to them in all the Premisses, we, confiding in the Mercy of Almighty God, and the Authority of the blessed Apostles* Peter *and* Paul, *remit for three Years the Penance enjoined them, to all who shall attend their Preaching for twenty Days in their several Stations, and likewise to those who shall give them Assistance, Counsel or Favour, in their Endeavours to subdue Hereticks, their Abettors, Receivers, and Defenders, in their fortified Places and Castles. And as for those who shall happen to die in the Prosecution of this Affair, we grant a plenary Pardon of all their Sins for which they are contrite in their Hearts, and which they confess with their Mouths. And that nothing may be wanting to the said Friars in their prosecuting the foresaid Business, we grant them, by the Tenour of these Presents, full Power of involving, under the Ecclesiastical Censure, all*

Bzovius, *a.* 1235. §. 3.

*who contradict and rebel againſt them. We alſo grant them the Power to reſtrain, under the ſame Cenſure, from the Office of Preaching, which by no means belong to them, the queſtuary Predicants, whoſe Buſineſs it is ſimply to aſk only charitable Supports, and to ſell an Indulgence, if they ſhould happen to have one.*

In the ſame Year 1235. 17 Cal. *June*, Pope *Gregory* commanded the Biſhop of *Hueſca*, the Prior of *Barcelona*, and Friar *William Barbarano*, a Predicant, that they ſhould not ſuffer the Office by any Means to relax, but ſhould make Inquiſition againſt Hereticks in the Province of *Tarracon*, and proceed according to the Canons. He alſo appointed Friar *Robert*, a Predicant, Inquiſitor General againſt Hereticks in the whole Kingdom of *France*, and commanded him ſo to proceed in the Cauſes committed to him, as that the Innocent ſhould not periſh, and that Iniquity ſhould not remain unpuniſhed. The Bull of this Commiſſion is extant, dated at *Perouſe*, 10 Cal. of *September*, and 9th Year of his Pontificate; in which he preſcribed the Form of Penance to ſuch as abjured their Hereſy, and ordained many other Things againſt Hereticks, and commanded the Provincial of the *Teutonick* Order of Predicants, that he ſhould chuſe fit Perſons out of all *Germany*, to preach in every Place the Word of the Croſs againſt the Hereticks and *Saracens*.

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## CHAP. XIV.

### *Concerning the firſt Hindrances to the Progreſs of the* INQUISITION.

ALtho' the Pope perpetually preſſed the Inquiſition, yet it was with great Difficulty admitted. The Novelty of the Tribunal, by which the Laity were excluded wholly from all Judgment againſt Hereticks, greatly offended Men. They were indeed willing to leave to the Eccleſiaſticks the Affair of Doctrine, to judge what was orthodox and what heretical. But they contended that the Judgment of their Perſons belonged to them; *viz.* to determine whether any Perſon profeſſed any Opinion, condemned by the common Judgment of the Clergy, and ſo became an Heretick; and eſpecially they believed that it belonged to their Tribunal to pronounce Sentence againſt the guilty. Whereas they now found themſelves wholly excluded from all Share in it by this new Tribunal, which the Pope was endeavouring every where to erect. All the Power left to the ſecular Magiſtrate was only to put to Death thoſe who were condemned for Hereticks by the Eccleſiaſticks, whereby he became a mere Slave to the Inquiſitors, as being obliged to execute their Sentence with a blind Obedience, without any Cognizance of the Crime. This was the Caſe even of ſome, who otherwiſe were zealous Defenders of the Papal Authority. Amongſt others, *Lewis* King of *France* made a Law, by which he commanded, that his Subjects, when cited before the Eccleſiaſtical Tribunals, ſhould not appear to plead their Cauſe; and that if they were cenſured for Contumacy, the Goods of thoſe who had paſſed the Cenſure ſhould

Raynald. *a.* 1236. §. 31, &c.

be ſeized by the Civil Magiſtrates, till it was recalled. The Pope thought this Law unjuſt, and injurious to the prelatical Authority. And therefore, that their Power might not be wholly ſuppreſſed by this Law, he ſent Letters to the King, in which he ſet before him the Examples of *Charles* the Great, *Theodoſius*, and *Valentine* the Emperors, who had greatly enlarged the Power of the Biſhops, and yet had not obſcured the Glory of their own Majeſty, but rather increaſed it, and admoniſhed him to repeal thoſe Laws, which were contrary to the Eccleſiaſtical Liberty. He then put him in Mind of the Sentence pronounced by *Honorius*, by which the Makers of ſuch Laws expoſed themſelves to Anathema's, unleſs they repealed them within two Months. The King, who was ſoliciting the Title of the obedient Son of the Church, yielded to the Papal Severity, and was entreated by *Gregory*, that he would finiſh the Work of cutting off all the Remains of Hereſy in the Province of *Tholouſe*, and compel Earl *Raymond* to perform his Promiſe.

§. 39, &c. The Earl had bound himſelf by an Oath to extirpate Hereſy, and to lead an Army into the Holy Land, when he was at *Paris*, and had made Peace with the *French* King and the Church. But as there happen'd a Tumult at *Tholouſe* againſt the Cenſors of the Faith, raiſed by thoſe who were ſaid to be infected with Hereſy, and as there was not an immediate Stop put to it upon its firſt Beginning, the Earl ſeem'd to have broke his Promiſe, and to cheriſh Hereticks, becauſe he did not reſtrain their Fury. Upon this the Pope ſeverely rebuked him, and, amongſt other Things, ſays: *That he had often hinder'd the Inquiſition againſt Hereticks, by commanding to be obſerved in their Favour certain Forms, injurious to the Statutes of the Pope himſelf, and contrary to the Laws relating to the Inquiſition of Hereticks; that he had ſuffered many Perſons condemned as Hereticks to dwell publickly in his Country; that he had given Protection to others, who from other Places had fled to him; that his Counſellors and Servants were ſuſpected and defamed of Hereſy*, &c. *So that he had not been afraid to declare himſelf a Favourer, Receiver, and Defender of Hereticks, and their Abettors; and that tho' he had been admoniſhed on theſe Accounts, he had not been careful to amend.* The Pope gave freſh Inſtructions to his Legate on this Affair, and ordered him to renew the *Tholouſe* Statutes, to reject all the Edicts and Laws, which infringed the Eccleſiaſtical Liberty, to remove from the publick Counſels all ſuſpected or defamed of Hereſy. And by other Letters he was order'd to cauſe all the Houſes of the *Tholouſe* Hereticks to be demoliſhed.

Raynald. *a.* 1236. §. 45. He alſo moſt earneſtly entreated the *French* King, that he would uſe the Power committed to him by God, to compel the Earl and Conſuls of *Tholouſe* to amend the aforeſaid Crimes, and do his utmoſt to extirpate Hereſy. Then he admoniſhed him to force the Earl to go to *Jeruſalem* the next *March*, and ſend his own Brother *Alphonſus*, to whom *Raymond*'s Daughter had been betrothed, to adminiſter the Affairs of the Earldom of *Tholouſe*.

But the Tribunal of the Inquiſition was not only hateful to the People by reaſon of its Novelty, but becauſe the Inquiſitors themſelves render'd it hateful by their exceſſive Cruelty. Amongſt theſe, one Friar *Robert* was not the leaſt. He was ſurnamed *Bulgarus*, becauſe he had cruelly perſecuted and deliver'd over

Du Cange *in voce Inquiſitio.*

over to the Fire the *Valdenſes*, then called *Bulgarians*; or, according to others, becauſe he himſelf had been a *Bulgarian* or *Valdenſian*, and upon his forſaking them, had enter'd into the Order of the *Dominicans*. He was Inquiſitor of the Faith in the *Netherlands*, and *France*, a Man of an auſtere Temper, ſupported by the Royal Authority of *Lewis*, who commanded him to burn many who were infected with Hereſy. But when afterwards the ſaid Friar, according to *Mat. Paris*, under the Year 1236. abuſed the Authority given him, and tranſgreſſed the Bounds of Modeſty and Juſtice, growing haughty, powerful and terrible, condemning to the ſame Puniſhment the Innocent as well as Guilty, he was put out of his Office by the Pope's Order, and ſhut up in perpetual Impriſonment. Afterwards *Fulco* exerciſed the ſame Severity in *Languedoc*, upon Account of whoſe exceſſive Cruelty, *Philip* the Friar ſent in the Year 1301. certain Perſons to enquire into his Miſmanagement, and ordered that for the future thoſe who were ſuſpected of Hereſy ſhould be put in the Royal Priſons at *Tholouſe*, and that the King's Subjects ſhould not be detained by the Inquiſitor's Decree, without the Biſhop's Advice firſt had, and the Aſſiſtance of the Royal Seneſchal. It would have been well if theſe two Perſons only had exceeded the Bounds of juſt Judgment; but in Reality this was the Fault of moſt of them. And therefore, that the Minds of Men might not be too much exaſperated, they added ſome of the Order of the Friars Minors to the Predicants, by their Gentleneſs to temper the others Rigour. This was actually done in the Year 1238.

Raynald. *a.* 1238. §. 60.

Du Cange, *ibid.*

And indeed this Tribunal of the Inquiſition was the fitteſt Method in the World for Perſons to oppreſs their Enemies, under the Pretence that they were infected with Hereſy, and was abuſed to this Purpoſe by political Men as well as Eccleſiaſticks, if it be true what *Raynald* writes of the Emperor *Frederick*, that he was greedy of Revenge, and uſed by various Pretences and Subornation of Crimes, to rage againſt thoſe, whom he inwardly hated. To this Purpoſe he pretended great Zeal to cut off Hereticks, and appointed that in all the Provinces and Places of Note there ſhould be a Judge, together with a Prelate, to take Cognizance of the Examination of Perſons by Torture; and for this pious Precaution, as it appeared, he was commended by Pope *Gregory*. But he improved this to gratify his Revenge, cauſing many innocent Catholicks, who had incurred his Diſpleaſure, to be accuſed of Hereſy, and burnt alive, to the great Grief and Offence of all; inſomuch that *Gregory* gravely admoniſhed him, that he ſhould endeavour to extirpate Hereticks, and not deſtroy the Catholicks.

*a.* 1233. §. 33, 34.

*Apud* Gregor. *Ep.* 243.

*Ep.* 244.

However, the *Roman* Pontiffs did much more inſolently abuſe their Power. For they were not afraid to brand with the Name of Hereſy, and to proceed againſt as Hereticks, Kings and Princes, and even the Emperor himſelf, if they would not own their unbounded Power, and do every thing according to their Beck. Of this we have a famous Inſtance in the Emperor *Frederick*: He had made very ſevere Laws againſt Hereticks, greatly increaſed the Authority of the Inquiſition, and in the Year 1236. having found ſome Perſons at *Palence* infected with Hereſy, he ordered eternal Marks of Infamy to be imprinted on their

Raynald. *a.* 1236. §. 60.

their Faces with a red hot Iron. And yet he could not eſcape the Pontiff's
*a.* 1239. Thunder: For in the Year 1239. Pope *Gregory* pronounced the Sentence of
§. 2, &c. Excommunication againſt him, and abſolved all his Subjects from the Obligation of any Duty or Oath they were under to him. *Frederick* gave an abundant Anſwer, and purged himſelf of the Crimes objected to him in this Sentence, in which there was no mention of Hereſy. But the Pope ſent Letters to all the Prelates, and to the Chriſtian Kings and Princes, in which he charged him with various Hereſies; and, amidſt others, with this: *That he conſtantly affirmed, that he could not be excommunicated by him as the Vicar of Chriſt; thus affirming that the Power of Binding and Looſing was not in the Church, delivered by our Lord to* Peter *and his Succeſſors. Whilſt he thus aſſerts Hereſy, his own Argument concludes againſt himſelf, ſhewing by Conſequence that he hath wrong Sentiments concerning the other Articles of the orthodox Faith, as he endeavours to take away that Privilege of Power granted by the Word of God to the Church, upon which the Faith is founded.*

Neither did the Pope reſt till he had put in Execution the Sentence he had
*a.* 1245. pronounced againſt the Emperor *Frederick*. For in the Year 1245. *Innocent*
§. 1, &c. calls a Council in *France*, and therein condemns and excommunicates him, de-
§. 45. prives him of his Empire, and abſolves his Subjects from their Oath of Fidelity, and by his Apoſtolick Authority firmly and ſtrictly forbids all Perſons to obey him any more as Emperor or King, and decrees that whoſoever ſhould from henceforward yield him Counſel, or Aid, or Favour, as Emperor or King, ſhould be *ipſo facto* excommunicated; and that the Electors of the Empire might freely proceed to the Choice of another Emperor, to ſucceed him in his Place.

*a.* 1246. *Innocent* IV. procured *Henry* Landgrave of *Thuringheim* to be created King of
§. 3. §. 17. the *Romans*, that by his Aſſiſtance he might drive *Frederick* from the Empire. *Frederick*, to purge himſelf of the Crime of Hereſy, ſent Letters to ſeveral Chriſtian Princes, in which he defended himſelf againſt the Charge. He alſo commanded the Archbiſhop of *Palermo*, the Biſhops of *Pavia*, *Monte Caſſino*, and *Cava*, the Abbots of *Caſanova*, *Roland*, and *Nicholas* a Predicant, diligently to enquire and examine him concerning his Sentiments as to the Syſtem of Chriſtian Faith, and other Articles and Myſteries of Religion. This being done, and an Inſtrument drawn up, he appointed them his Procurators, that they ſhould make Oath before the *Roman* Pontiff, that *Frederick* having been examined, rightly agreed with all Chriſtians in every Article of Faith, and was at the fartheſt Diſtance from Hereſy. They had a very unwelcome Reception, as being the Procurators of a Man expelled the Company of the Faithful, and for this Wickedneſs were ſaid to deſerve Puniſhment rather than Audience. But when they affirmed themſelves to be the Meſſengers of a pure Chriſtian Man, the Affair was ordered to be examined by three Cardinals of the *Roman* Church, who pronounced that Purgation trifling and void, inaſmuch as they had no Authority to take his Examination. On this he commanded *Frederick*, that if he would regularly purge himſelf, and ſubmit to a right Examination, he ſhould repair to the Apoſtolick See, without the Noiſe and Terror of Arms,

attended

attended only by a ſmall Retinue; and proper Security ſhould be given, that no Injury and Diſturbance ſhould be offered to him or his.

After the Imperial Power was thus inſulted, no one will wonder that the like Proceſs ſhould be carried on againſt *Ezeline*, Lord of *Padua*, and zealouſly attach'd to the Emperor's Party. For in the Year 1248. the ſame Pope *Innocent*, as we learn from his Letters to the Prelates of the *Milaneze*, the Marquiſate of *Treviſo* and *Emilia* *, pronounced the Eccleſiaſtical Cenſures againſt him on the Day of the Feſtival of the holy Sacrament. He had appointed Inquiſitors of the Faith againſt him before, becauſe he had been aſperſed with the Report of Hereſy. In order to refute the Charge, he ſent Meſſengers to *Rome*, who bound themſelves by a ſolemn Oath, in the Name of *Cæſar*, to declare that his Sentiments were right concerning the Catholick Faith. But as that Purgation was not allowed of by the Biſhop of *Sabine*, who was appointed to take the Report of the Meſſengers, nor by the Pope himſelf; becauſe, as he pretended, the Importance of the Affair required the guilty Perſon to be preſent; he fixed him the Calends of *Auguſt* for the Day in which he was to clear himſelf; and according to the Papal Manner provided for his Security; hereby demonſtrating, that he muſt entertain no Hopes of Reconciliation, unleſs he would in all Things ſubject himſelf to the Beck and Pleaſure of the Pope, and own him as ſupreme Judge in all Cauſes whatſoever.

*a.* 1248. §. 25, 26.

But as *Ezeline* did not appear, the Pope, in the Year 1251. deputed the Biſhop of *Treviſo*, and the Prior of the Predicants at *Mantua*, to let him know that he ſhould be ſubject to all the Puniſhments ordain'd againſt Hereticks, unleſs he appeared before the holy See within the next Calends of *Auguſt*, and ſubmitted himſelf to receive his Commands: That if he refuſed to appear, they ſhould publickly declare, that he was to be avoided by all, as one defiled with Hereſy, that his Body might be ſeized on, his Goods plundered; and that an Army of Croſs-Bearers ſhould be ſent againſt him and his Followers. This Proceſs laſted ſome Time before the Pope pronounced the long intended Sentence. At length, in the Year 1254. on the Day of the Feſtival of the Sacrament, *Ezeline* was condemn'd for Hereſy, and ſubjected by the Pope's Sentence, to all the Puniſhments of Hereticks. *Innocent* publiſh'd a moſt bitter Sentence againſt him, in which he charged him with the moſt horrid Crimes. He commanded alſo all the Prelates, that they ſhould publiſh the Condemnation of *Ezeline*, for Hereſy; and puniſh all who adhered to him, with the Puniſhments ordain'd againſt the Followers of Hereticks. There are extant alſo the Pope's Letters upon the ſame Subject, to *Alberic* his Brother; by which he gave him all his Brother's Effects, whom he had condemned to the Puniſhments of Hereticks, and confirmed the Sentence of *William*, King of the *Romans*, by which he condemned him for Rebellion, and deprived him of all his Lands that were ſubject to the Empire.

Raynald. *a.* 1251. §. 36, 37.

*a.* 1254. §. 35, 36.

* Containing the Dutchies of *Parma*, *Modena*, *Mirandola*, and Part of *Mantua*.

*Ray-*

§. 27. *Raymond*, alſo Earl of *Tholouſe*, quite oppreſſed with the ſeveral Misfortunes we have before related, ſubmitted his Neck to the Papal Yoke: For he ſignified to the Pope, that he deſired that heretical Pravity might be quite deſtroy'd, and wholly extirpated out of his Dominions. The Pope highly extolled him for ſo pious a Zeal; and to oblige him, as he ſays, commanded the Biſhop of *Agen*, to make Inquiſition after, and puniſh the Hereticks of *Tholouſe*. *William de Podo Laurentii*, as *Raynald* cites him, relates, that *Raymond* order'd about eighty Perſons, who either confeſſed, or were convicted of Hereſy, in Judgment before him, to be burned with Fire in the City of *Agen*, in the Place called *Berlaigas*. But he did not long ſurvive it, dying
*a.* 1249. in the Year 1249. and was the laſt Earl of *Tholouſe* of that Line. After his
§. 8, 9. Death, the Earldom went to his Son-in-law, the Earl of *Poictiers*, and he dying without Iſſue, it devolved to the Kings of *France*.

Bzovius, *a.* 1247. §. 4, & 6. The Office of the Inquiſition was more than ten Years before this brought into *Lombardy*. *Innocent* IV. *An.* 1247. willing to eſtabliſh it, commanded Friar *John Vicentinus*, a Predicant, that he ſhould conſtantly oppoſe the Hereticks in *Lombardy*, and gave him Power to abſolve thoſe who would abjure their Hereſy, and return to the Church, and of granting Indulgencies to ſuch who would attend upon his Sermons; and forbid that any of the Superiors of the ſame Order, the Provincial, or Maſter General, ſhould hinder him in the Office of the Inquiſition, or remove him from it.

*a.* 1248. §. 3. From the neighbouring Province of *Tholouſe* the purer Doctrine had ſpread it ſelf into the Province of *Narbonne* and *Aragon*: Wherefore *Innocent* IV. in a Letter, ſent to *Raymond Penniafortius*, Maſter of the Predicants, and to the Provincial of *Spain*, commands that they ſhould depute, by the Pope's own Authority, ſome of the Friars of his Order in the Kingdom of *Aragon*, to be Inquiſitors of heretical Pravity, in the Province of *Narbonne*, in that Diſtrict only that was ſubject to *James*, King of *Aragon*; and enjoin them, that they ſhould effectually proceed againſt Hereticks, their Abettors, *&c.* fearing no one in this Affair, but God, according to the Form publiſhed by *Gregory*, and renewed by himſelf.

But *Luke Wadding* relates, That in the Year 1232. Inquiſitors were appointed in *Aragon*, by the Command of Pope *Gregory* IX. the King deſiring them of the Pope, at the Inſtigation of *Raymond Penniafortius*, his Confeſſor. Not long after a Synod was held at *Tarracon*, which made many Decrees againſt Hereticks; and an Inquiſition was there ſet up, after the Manner of that at *Tholouſe*, which was carried on with the greateſt Rigour againſt the Hereticks which aroſe in that Time, and which laſted more than an whole Age. For in the Life of *Nicholas Eymerick*, a Predicant Monk, and Author of the Directory of the Inquiſitors, 'tis related, that *Eymerick* flouriſhed in the Times of *Urban* V. and *Gregory* XI. Popes, and of *Peter* IV. King of *Aragon*: That he was created Inquiſitor General about the Year of our Lord 1358. and ſucceeded *Nicholas Roſell*, *An.* 1356. and made a Cardinal: That he died the 4th of *January*, *An.* 1393. having ſtrenuouſly kept up the Office of the Inquiſition againſt Hereticks, 44 Years ſucceſſively. Upon his

Death the Inquiſition remained in Force in that Kingdom; but gradually ſunk of it ſelf, upon the entire Extinction of the *Valdenſes*.

[About this Time alſo, the Inquiſition was introduced into *Burgundy*. For about the Year 1223. the Friars Predicants, of the Order of *Dominick*, were received in *Beſancon*: For whereas ſome of the *Valdenſes* had retired into the Country of *Burgundy*, *John* Earl of *Burgundy*, at the Inſtigation of the *Dominicans*, obtained a Bull from Pope *Innocent* IV. beginning, *Zelo magno zelantes*, dated *An.* 1247. 12 Cal. *Sep.* by which the Inquiſition was erected in the Territories of *Beſancon*. The ſame Pope had, in the preceding Year, by a Bull, dated 12 Cal. *Dec.* beginning, *Ille humani generis*, &c. admoniſhed the Prior and Convent of the Friars Predicants at *Biſancon*, that they ſhould appoint Inquiſitors in that Country; and after an Exhortation to the whole Order, ſhould make Inquiſition againſt Hereticks. But this Tribunal by degrees came alſo to nothing; becauſe, when the *Valdenſes* were extinguiſhed, there were no others for the Inquiſition to proceed againſt. But in theſe laſt Ages it was reſtored again.] *Des Loix*, p. 129, &c.

## CHAP. XV.

### *The more happy and ſpeedy* PROGRESS *of the* INQUISITION.

THUS far the Pope had laboured hard in promoting the Affair of the Inquiſition. But as there were perpetual Quarrels between the Popes and the Emperor, the Pope's Succeſs was not anſwerable to his Wiſhes, as being more intent upon promoting War, than enquiring into, and judging of Hereſies. But after the Death of the Emperor *Frederick*, the Affairs of *Germany* being in great Diſorder, and *Italy* without any Prince; Pope *Innocent* IV. ſeeing all Things become ſubject to his Power, in the *Milaneze* and other Parts of *Italy*, determined to extirpate all Hereſies, which had greatly encreaſed in the preceding War: And becauſe the *Dominican* and *Franciſcan* Friars had greatly aſſiſted the Pope againſt Hereticks, and were animated with a fiery Zeal, he committed this Affair to them, rather than to any others whatſoever. He therefore erected a Tribunal, ſolely for the Buſineſs of the Faith; and gave to the Inquiſitors perpetual Power to adminiſter Judgment in his Name in this Cauſe.

His firſt and principal Care was to purge *Italy* from Hereſy, which was neareſt to himſelf, and moſtly ſubject to his Power; and therefore he erected ſeveral Tribunals of the Inquiſition therein. In the Year 1251. he created *Vivianus Bergomenſis*, and *Peter* of *Verona*, both Friars Predicant, Inquiſitors of the Faith in *Milan*, and gave them theſe Letters, in which he taxes even the Emperor *Frederick*, as a Favourer of Hereſy. *Innocent*, &c. *Whilſt that perfidious Tyrant lived, we could not ſo freely proceed againſt this Plague, eſpecially* Raynald. *a.* 1251. *in* §. 34, 35.

*in* Italy, *through his Oppoſition; who, inſtead of putting any Check to it, rather encouraged it. When he became evidently ſuſpected of this, he was condemn'd by us in the Council of* Lyons, *as well as on Account of his many other enormous Exceſſes: And therefore we ſtrictly command and enjoin your Diſcretion, by theſe our apoſtolick Writings, as you expect the Remiſſion of your Sins, that ye proſecute this Affair of the Faith, which lies principally upon our Heart, with all your Powers and with fervent Minds; and that ye go perſonally to* Cremona; *ſince we have thought proper to depute for the ſame Buſineſs other diſcreet Perſons in the other Cities and Places of* Lombardy; *and that after having called a Council in that Dioceſe, ye do carefully and effectually labour to extirpate heretical Pravity out of that City and its Diſtrict; and that if you find any Perſons culpable upon this Account, or infected, or defamed, unleſs upon Examination they will abſolutely obey the Commands of the Church, ye proceed againſt them, their Receivers, Abettors and Favourers, by the apoſtolick Authority, according to the canonical Sanctions, laying aſide all Fear of Men; and that if there be need, ye call into your Aſſiſtance the ſecular Arm. Dated the Ides of* June, *and eighth Year of our Pontificate.*

Pegna *in* Eymeric. *p.* 2. *com.* 38.

This *Peter* of *Verona* appointed, that amongſt other Statutes of the Republick of *Milan*, many alſo ſhould be made and obſerved againſt heretical Pravity. But as he was going from *Como* to *Milan*, *An.* 1252. to extirpate Hereſy, a certain Believer of Hereticks attack'd him in his Journey, and diſpatch'd him with many Wounds. He was canoniz'd after his Death by *Alexander* IV. and is worſhipped as a Martyr by the *Dominicans*, whom next to *Dominick* they eſteem as the Patron and Prince of the holy Office of the Inquiſition; ſince he was the firſt who conſecrated it by his Blood. The Miniſters alſo of the Inquiſition, which they call in *Italy*, Croſs-Bearers, are from him called Co-Brothers of *Peter* the Martyr; and in the very Enſigns of this Office he is painted as a Martyr, and Protector of this ſacred Tribunal, with a ſilken Croſs, of a red Colour, interwoven with Gold, as the Emblem of his Martyrdom.

But leaſt the Pope ſhould ſeem wholly to deprive the Biſhops of the Power of Judging, concerning the Faith, which hitherto had been wholly lodged with them, he appointed that a Biſhop, with the Inquiſitor, ſhould be Judges in this Tribunal: But the Biſhop was admitted only for Forms ſake. The whole Power of Judging lay wholly in the Inquiſitor. And that there might be ſome ſhew of Authority left to the civil Magiſtrates, who by the laſt Laws of *Frederick* had the Power of pronouncing Sentence upon Hereticks, he allowed them to appoint Miniſters of the Inquiſition, but ſuch only as were nominated by the Inquiſitors; and to depute one of their Number, nominated alſo by the Inquiſitor, to viſit with him the Territory committed to him; and of claiming the third Part of the confiſcated Goods; together with ſome other Things of the like Nature, by which the ſecular Magiſtrate ſeemed indeed to be admitted as a Companion of the Inquiſitors, but was in reality render'd their Slave and Tool: For he was obliged, at the Command of the Inquiſitor, to apprehend any one, and to impriſon him, wherever the Inquiſitors pleaſed. He was alſo under an Oath to expel from

his Family, and not to admit into any Office, any that ſhould be adjudged Hereticks by the Inquiſitors Sentence; and if any of his Number aſſiſted the Inquiſitors, they were put under an Oath of Secrecy. From all which 'tis manifeſt, that the Magiſtrates were not the Companions of the Inquiſitors in that Tribunal, but only their Slaves and Tools. The Pope alſo ordained, that all Perſons ſhould pay towards the Charges of the Jails, Impriſonments, and Support of thoſe who were confined.

By this Means the Office of making Inquiſition againſt Hereticks, was in diverſe Places of *Italy* committed both to the Minors and Predicant Friars. But leaſt their mutual Power, and the neighbouring Juriſdiction of the Places ſhould create Confuſion, or raiſe Diſputes about their reſpective Bounds, the Pope recalled all the Commiſſions that had been granted in the Affair of the Faith; and divided, in an exact Proportion, to each Order, the ſeveral Parts of *Italy*. The Friars Minors he appointed in the City of *Rome*, throughout *Tuſcany*, in the Patrimony of St. *Peter*, the Dutchy of *Spoletto*, *Campania*, *Maretamo* and *Romania*. To the Predicants he aſſigned *Lombardy*, *Romaniola*, the Marquiſate of *Tarviſino*, and *Genova*. The Bull in which he commits the Office of the Inquiſition to the Predicants, is in *Bzovius*, *An.* 1254. §. 4. and that to the Minors, in *Luke Wadding*, *An.* 1254. §. 7. After this, the Pope preſcribed thirty one Articles to the Magiſtrates, Judges and People of the three Countries, which he had ſubjected to the Juriſdiction of the Predicants, which he commanded to be exactly obſerved, and regiſter'd amongſt the publick Records; and gave Power to the Inquiſitors to put under Excommunication and Interdict, all who refuſed to obſerve them. Armed with this Power, they ſometimes very inſolently abuſed it, and attempted to introduce into other Countries what the Pope had order'd only for thoſe that he had put under their particular Juriſdiction. Upon this Account, in the Year 1255. there was a great Quarrel between *Anſelm*, a Predicant Friar in the *Milaneze*, and the Magiſtrate of *Genova*. The Friar endeavoured, that ſome Conſtitutions made againſt Hereticks, both by the Apoſtolick See, and the Imperial Power, ſhould be publiſhed, and repoſited amongſt the Laws of the City. But *Philip Turrianus*, Prefect of the City, refuſed it, either becauſe he favoured Hereticks, or deſpiſed the Commands of the Inquiſitor. Upon this the Friar, ſupported by the Apoſtolick Authority, proceeded againſt *Philip* as ſuſpected of Hereſy; and becauſe he refuſed to obey and appear, excommunicated him, and all his Companions in the Government, as Accomplices in the Crime; and interdicted the City from all holy Services. *Philip*, under that Cenſure, appealed to the Apoſtolick See; and ſent Ambaſſadors to the Pope, to entreat a Suſpenſion of the Cenſures, and to wait for the Determination of the whole Affair. The Pope ſuſpended the Curſes *Anſelm* had pronounced to a certain Day; but before that Day came, *Philip* obeyed the Commands of *Anſelm*, regiſter'd according to his Order all thoſe Conſtitutions amongſt the City Laws, and proceeded as they directed againſt all Contraveners.

Wadding, *a.* 1254. § 7.

Bzovius, *a.* 1256. §. 7.

*Hiſt. Concil. Trid.* p. 485.

Thus the Civil Magiſtrate was ſometime forced to yield to the Papal Authority: And this undoubtedly was the Reaſon, that the Laws of *Frederick* againſt Hereticks, were, as Friar *Bernard* of *Como* relates in his Light of the Inquiſitors, printed at *Rome*, *An.* 1584. regiſter'd in the Records of the City *Como*, and accepted by the whole Council of that City, *Sept.* 10, 1255. Nevertheleſs, upon Account of the exceſſive Cruelty of the Inquiſitors, and the Greatneſs of the Expence, the People were violently ſet againſt this Tribunal; and ſome of the Popes could ſcarce extricate themſelves out of theſe Difficulties, till at length the People admitted it more eaſily, being eaſed of the Expenſes they had born to ſupport the Inquiſition, and becauſe the Epiſcopal Authority in that Tribunal was greatly enlarged.

Sometimes however they broke out into open Violence, which was with great Difficulty appeaſed. Thus it happen'd in the Country of *Parma*, as *Honorius* IV. relates it, in his Letter to the Biſhop of that City *, extant in *Bzovius*. Theſe Difficulties were indeed overcome by the Authority of the Pope, and Rigour of Puniſhments; but contrary to the Inclinations and Endeavours of the People, who curſed the Cruelty of the Inquiſitors. From ſome Countries where the Inquiſition had been brought in, it was driven out again; becauſe it aſſumed the Cognizance of thoſe Affairs which did not belong to it; ſo that the People could no longer bear the intolerable Yoke. In theſe latter Ages, *viz.* *An.* 1518. the moſt violent Tumults were raiſed in *Breſcia*, againſt the Inquiſitors, who exerciſed the moſt outragious Cruelties againſt ſome Perſons accuſed of Magick, which were very difficultly appeaſed, and not till the Eccleſiaſtical Tribunal and Proceſſes were aboliſhed, and other Judges appointed in their Room. Upon the Death of *Paul* IV. the Priſons of the Inquiſition were broke open by the Mob at *Rome*; and the whole Building, with all its Records, burnt to the Ground. At *Mantua*, *An.* 1568. there was, on the ſame Account, a violent Sedition, which brought the City it ſelf into the extreameſt Danger.

*a.* 1285. §. 12.

*Hiſt. Inq.* Venet. *c.* 8. *ibid.*

As there occurred to theſe new Judges many Caſes, not determined by the Laws, ſo that ſometimes they were in doubt how to proceed; they referred them to the Pope, by whom they were deputed, who by his Reſcripts, gave them proper Directions, and declared how they were to pronounce in like Caſes. There are extant many ſuch Anſwers of *Innocent* IV. *Alexander* IV. *Urban* IV. and *Clement* IV. to the Inquiſitors, inſtructing them in the Affair of their Office againſt Hereticks. And although theſe Reſcripts were ſent only to the *Italian* Inquiſitors, yet we muſt not think, as *Pegna* remarks, that theſe Decrees were to be obſerved in *Italy* only: "For the *Roman* Pontiffs tranſmitted their Reſcripts to the Inquiſitors of *Italy*; becauſe at that "Time there were many of them againſt the prevailing Hereſies of the "*Patarenes*, *Puritans*, *Leoniſts*, and other Hereticks, who chiefly infected "the Parts of *Italy*; the Hereſies of the *Valdenſes*, or poor Men of *Lyons*, "being almoſt buried and extinguiſhed, the Apoſtolick See having a little

*In* Eymer. *Direct. Inquiſ. p.* 3. *com.* 158.

* *See* Hiſt. Inquiſit. *Book* 3. *Cap.* 10.



"before

" before ſuppreſſed them in *Languedoc*, *Dauphiny*, and *Provence*, by the " Preaching of many famous Men, and eſpecially of St. *Dominick*. And " therefore the Reſcripts ſent by the Popes to thoſe Inquiſitors, they ordered " to be obſerved by the Inquiſitors of other Provinces, where there were any. " They were ſent firſt to thoſe of *Italy*, becauſe they eſpecially needed that " Proviſion, and thoſe Conſtitutions." One may alſo read in the Bulls the ſame Laws often repeated, without any Alteration, by different Popes. For, as the ſame *Pegna* obſerves, " it ſeems to have been an ancient Cuſtom, when " the Matter required it, that every Pope, in the Beginning of his Pontifi- " cate, ſhould publiſh Laws againſt Hereticks, and Rebels againſt the " Church, to deter them from ſo great a Crime by the Severity of Puniſh- " ments and Penalties, and thus reduce them to the Boſom of the Church. " Sometimes they publiſhed the Laws received by their Predeceſſors, with- " out altering a Word, unleſs the Occaſion required otherwiſe.

*Direct. Inq. Par. 2. Comment. 22.*

This Tribunal was merely Eccleſiaſtical, the Civil Magiſtrate having no Share in the Judgment. The Inquiſitor, with the Biſhop, pronounced Sentence of Hereſy againſt the Perſon apprehended. They appointed wholſome Penances to the Penitent, and delivered over the Impenitent and Obſtinate to the Secular Court, who without any farther Deliberation condemned them to the Fire.

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## CHAP. XVI.

### *The* INQUISITION *introduced into ſeveral Places.*

AFter this manner, Tribunals of the Inquiſition were erected in other Places beſides *Italy*. Firſt in the County of *Tholouſe*. For *Innocent* IV. commanded the Provincial of the Predicant Order in *Provence*, to endeavour, with all his Might, to extirpate Hereticks from that County, and the Country of *Poictеau*, and gave him plenary Power to excommunicate, abſolve, and reconcile.

Bzovius, *a.* 1251. §. 8. *n.* 9.

In the Year 1255. *Alexander* IV. at the Requeſt of *Lewis*, appointed Inquiſitors of the Faith in *France*, and conſtituted the Prior of the Predicant Friars at *Paris*, Inquiſitor over all that Kingdom, and County of *Tholouſe*, with the moſt ample Powers, and exhorted him to adviſe with grave and prudent Men in pronouncing Sentences. Theſe Things are ſaid to have been done at the Deſire of *Lewis* the *French* King. *Raynald* adds: *The Kings afterwards for a long Time trod in the Steps of this moſt holy Prince, in defending the Cenſors of the Faith all over the Kingdom of* France; *till ſome degenerating from his Piety, aboliſhed the ſacred Tribunals, which had been appointed by the Deſire of this religious King, and thus unhappily gave the Reins to all Impiety. How terrible a Fire hath been raiſed from hence, which at firſt might have been extinguiſhed by the*

Raynald. *a.* 1255. §. 33, 34. Bzovius, *a.* 1255. §. 8. *n.* 15.

*Blood of a few,* France *is a Witneſs, which hath been thus long torn to Pieces by the Sword of Hereticks. So that all pious Men wiſh and pray, that another Prince may riſe up equal in Piety to St.* Lewis, *who may reſtore the Tribunals of the holy Faith in* France. I cannot help remarking, that from theſe Words we may learn, not only what the Popes and their Devotees principally regard, *viz.* to reſtore the Inquiſition wherever 'tis loſt, but who and what Sort of Perſons are their Saints, to whom they give ſuch high Encomiums in their Writings; not Men remarkable for their Sanctity of Life, nor for governing their Actions according to the Rule of the Chriſtian Doctrine, but Perſons who have been the moſt zealous Promoters of the Papal Authority, who have moſt advanced the Power of the Church, and heaped upon the Eccleſiaſticks the moſt ample Poſſeſſions and Riches. *Philip de Comines* hath a pleaſant Story of this kind, in his Commentaries of the *Neapolitan* War, Book 1. John Galeacius, *firſt Duke of* Milan *of that Name, had governed with great Cruelty and Pride, but had been very liberal in his Donations. I ſaw his Sepulchre in the* Carthuſians *Church at* Papia, *and as I was looking on it, one of them ſpoke to me of his Virtue, and extolled his Piety. Why, ſaid I, do you thus praiſe him as a Saint? You ſee there are drawn the Enſigns of many People, whom he ſubdued without any Right. Oh, ſays he, 'tis our Cuſtom to call them Saints, that have been our Benefactors.* Hence we may eaſily learn who are in their Account wicked and impious Men: Not ſuch whoſe Manners are contrary to the Precepts of *Jeſus Chriſt*, but who oppoſe the exorbitant Power of the Pope, and the intolerable Yoke of the Eccleſiaſticks; who aſſert the juſt Liberties of Mankind, and ſcorn to be the vile Slaves of the Pope. Theſe they point out to us as wicked Wretches, and accuſe of the worſt of Crimes, and the moſt horrid Vices; from whence it appears of it ſelf, what Credit is to be given to thoſe Hiſtories, which are written only by Monks, thoſe ſworn Slaves to the Pope. But to return:

Raynald. *a.* 1281. §. 18. When the Inquiſition was once brought into *France*, the Pope carefully endeavour'd to preſerve it, and to cheriſh and enlarge, by all Meaſures, the Juriſdiction of that Tribunal. Such who were defamed for Hereſy, and afraid of being brought before the Tribunal of the Inquiſition, fled to the Churches, for the Benefit of the Eccleſiaſtical Immunity, and could not be brought from thence by Force before the Inquiſitors. The Pope ſeeing that by this Means many would eſcape the Judgment of the Inquiſition, decreed that this Privilege ſhould not be allow'd them. Farther, to prevent the *Roman* Catholick Faith and Worſhip from being loſt in thoſe Provinces of *France*, where lived many of the *Valdenſes*, he tranſmitted to the Magiſtrates and Prefects of thoſe Places the Laws made by the Emperor *Frederick* againſt Hereticks, that they might proceed againſt thoſe who were infamous on this Account. About this Time alſo, the Office of the Inquiſition was brought into the Kingdoms of *Caſtile* and *Leon*, altho' there is ſcarce any mention of the *Caſtile* Inquiſition in the Acts of thoſe Times. However, *Lewis a Paramo* proves its Introduction from the Letters of Pope *Clement* IV. dated at *Viterbo*, Calend. *Feb.* 1267. by which Power is given to the Provincial of the Predicant Friars in *Spain*, which then comprehended *Caſtile*, *Andaluſia*, *Portugal*, and *Navarre*, to nominate two of

*a.* 1228. §. 23, 28.

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the aforesaid Order, to make Inquisition against heretical Pravity; which Letters are preserved at *Barcelona* in the Archives of St. *Catherine* the Martyr. Another Bull of Pope *Clement* VI. is also kept there, expedited the 4th of the Ides of *April*, 1350. directed to Father *Nicholas Rossellis*, Provincial of *Aragon*, by which he appoints, that the Inquisitors he had made in his Province should not be subject to those who were chose by the Provincial of *Castile*. From whence *Paramus* rightly gathers, that there had arisen some Controversy between the Inquisitors of *Castile* and *Aragon* concerning their Jurisdiction, and that it had been ended by the Authority of the Pope.

About this Time many Hereticks from the Countries of *Italy*, to escape the Hands of the Inquisitors deputed thither, transported themselves into the Isle of *Sardinia*. And therefore, that they might not escape Punishment, nor infect the *Sardinians*, Pope *Honorius*, *An.* 1585. commissioned the Minorites, the Inquisitors of *Tuscany*, to exercise the Office of the Inquisition also in that Island. Likewise, *An.* 1288. the Pope commanded, that the Minister of *Provence* should, by the Apostolick Authority, appoint one of his Brethren, a wise and learned Man, Inquisitor in the County of *Venaisin* in *Dauphiny*, and the neighbouring Places, who should execute this Office according to the Laws formerly prescribed by *Clement* IV. And, that there might be no Impediment to the Exercise of it, he two Years afterwards, *An.* 1290. commands the Governor of the *Venaisin*, by Letters given to him, that the Expences of the Inquisitors should be defray'd. *Let him procure, at their Requisition, or any one of them, that the moderate Expences made or to be made by them, necessary to the Support of the Office of the Inquisition, be granted to them without any farther Obstacle or Delay, according to the Pleasure of the Apostolick See; and that all and singular the Goods, movable and immovable, which shall be confiscated by the Sentence of the said Inquisitors, be applied to the Produce of the same District, towards the Necessities of the Court.* Then he adds: *For we intend that such Expences be defray'd by these Effects; and know, that it will be very disagreeable to our Inclinations, that the said Office receive any Detriment upon Account of the Charges attending it.*

Wadding. *a.* 1285. §. 9. Raynald. *a.* 1285. §. 75. Wadding. *a.* 1288. §. 14. *a.* 1290. §. 6.

In the same Year 1290. the Inquisition was erected in *Syria* and *Palestine*, because some Hereticks and *Jews* had crept in there, who promised themselves Safety from the Disorders of the Wars. The Pope sent a large Bull to *Nicholas* Patriarch of *Jerusalem*, Legate of the Apostolick See, and commanded him to depute Inquisitors of heretical Pravity in all the Countries where his Legateship reached, by Advice of the Provincials of the Predicants in those Parts, or their Vicegerents. The Inquisition lasted some Years in this Country, and was strenuously supported by the Minorites.

*a.* 1290. §. 2.

In the Year 1291. the Inquisition was brought into *Servia*, and the Pope wrote Letters to *Stephen* King of that Country. This same Year there was a great Quarrel in *Italy* between the Inquisitors of the Orders of the Minorites and Predicants. One Friar *Pagan*, a Predicant, Inquisitor in *Lombardy*, and Friar *Vivian* of the same Order, fiercely opposed the Inquisitor in the Marquisate of *Treviso*. This proceeded to such an Height, that many Disturbances were raised in the City of *Verona*, insomuch that the Pope found it necessary to

Wadding. *a.* 1291. §. 11, 14.

cite

cite them both before himſelf. After hearing what they alledged in their Defence, he determined that they had been guilty of great Exceſſes; and therefore removed them for ever from the Office of the Inquiſition, and added other Puniſhments, which he wrote an Account of to the Biſhop, Governor, and Citizens of *Verona*.

*a.* 1292. §. 3. Bzovius, *a.* 1292. §. 5. The following Year 1292. the Inquiſition was erected in the Cities of *Vienne* and *Albona*, after the ſame manner as it had been appointed in thoſe of *Arles*, *Aix*, and *Ambrun*. The ſame Year *James* King of *Aragon* greatly promoted the Inquiſition in all his Kingdoms. For by a Law made the 10th of the Cal. of *May* he commands all the Officials of all his Kingdoms, already made, or hereafter to be made, that at the Notification or Injunction of the Friars Predicants, who now are, or hereafter ſhall be Inquiſitors of heretical Pravity, they do, fulfil, and execute, whatſoever they ſhall command to be done, by themſelves or their Deputies, on the Part of the Pope, or the King himſelf, whether it be to apprehend, or impriſon Mens Perſons, or any other Thing relating to the Affair of the Inquiſition. And he commands them to do this as often as, and whereſoever they ſhall be required by them, or any one of them.

And that there might be no Place of Refuge left for Hereticks, Tribunals of the Inquiſition were erected up and down in various Countries; In *Germany*, *Auſtria*, *Hungary*, *Poland*, *Dalmatia*, *Boſnia*, *Raguſia*, *Croatia*, *Iſtria*, *Walachia* in *Lower Germany*, and other Places, to which the Power of the Pope could extend it ſelf. The *Auſtrian* Inquiſition was at firſt very terrible; for *Paramus* relates from *Trithemius*, that in the City of *Crema* many thouſand Hereticks were apprehended and burnt by the Inquiſitors.

*l.* 2. *t.* 3. *c.* 4. *n.* 17.

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## CHAP. XVII.

### *Of the* INQUISITION *at* Venice.

THE Inquiſition at *Venice* was under a different Management. The greateſt Part of the Chriſtian World being in Arms, upon Account of the fierce Contentions between the Pope, and *Frederick* the Emperor, *Lombardy* being torn in Pieces by its own Quarrels, and the Marquiſate of *Treviſo* and *Romaniola* divided between the Followers of the Pope and Emperor, there aroſe amongſt them various Opinions, different from the *Roman* Faith. And becauſe many Perſons had fled to *Venice*, to live there ſecurely and quietly, the Magiſtrates of that City, to prevent it from being polluted with foreign Doctrines, as many Cities of *Italy* were, choſe certain Men, honeſt, prudent, and zealous for the Catholick Faith, who ſhould obſerve and enquire out Hereticks. Full Power was alſo given to the Patriarch of *Grado*, and other *Venetian* Biſhops, to judge of thoſe Opinions; and it was decreed, that whoſoever was pronounced an Heretick

Heretick by any one of the Biſhops, ſhould be condemned to the Fire, by the Duke and Senators, or at leaſt the major Part of them*. And leaſt their ſhould be any Hindrance to this Affair, by the Death of a ſingle Biſhop, it was afterwards decreed, that ſuch alſo ſhould be condemned to the Fire, who were pronounced Hereticks by the Biſhops Vicars, upon the Demiſe of the Biſhop †. In this Proceſs, the ſecular Judges appointed by the Commonwealth, made Inquiſition againſt Hereticks. The Biſhop judged concerning their Faith, whether it was agreeable to the *Roman* Faith, or heretical. Then the Duke and Senators pronounced Sentence, not as meer Executors of the Biſhop's, but as Judges, properly ſo called: But *Nicholas* IV. a minor Friar, being exalted to the Pontificate, in order to execute the Purpoſes of his Predeceſſors, and exalt the Friars of his own Order, did not ceaſe his Endeavours, till he had got the Office of the Inquiſition received by a publick Decree at *Venice*; but under this Limitation, to prevent Scandal, that the Duke alone ſhould have Power to aſſiſt the Inquiſitors in the Execution of their Office; that a Treaſury ſhould be appointed, and an Adminiſtrator ſet over it, who ſhould diſburſe the neceſſary Sums for the Office, and ſhould receive and keep all the Profits accruing from it, to the Treaſury. This was done in the Year 1289. The Pope acquieſced in this Decree; and thus the Office of the Inquiſition at *Venice* conſiſted of Secular and Eccleſiaſtical Perſons, and doth ſo to this Day; three Inquiſitors aſſiſting at it in the Name of the Prince. The Eccleſiaſticks have been indeed endeavouring to bring it entirely into their own Hands, but could never prevail with the *Venetian* Senate to agree to it. In the Year 1301. Friar *Anthony*, an Inquiſitor, would feign have perſuaded Duke *Peter Gradenigo*, to have bound himſelf by an Oath, to obſerve the Pontifical and Imperial Laws againſt Hereticks. But the Duke anſwered, by a publick Reſcript, that he was no ways obliged to take a new Oath; becauſe when he was raiſed to the high Office of Duke, he confirmed by an Oath the *Concordate* with *Nicholas* IV. and therefore inſiſted that he was no ways bound, by any Pontifical or Imperial Laws, not agreeing with this *Concordate*. Upon this Anſwer, the Inquiſitor deſiſted from his Attempt.

From theſe Things 'tis evident, that the *Venetian* Inquiſition is very different from what it is in other Countries, where Eccleſiaſticks, intirely devoted to the Pope of *Rome*, have the whole Management of it. For whereas in other Places the Cognizance of Hereſy belongs only to the Eccleſiaſticks; and whereas all who bear any Part in that Judgment, as Aſſeſſors, Counſellors, Notaries, or Witneſſes, take an Oath of Secrecy to the Inquiſitors, whereby the Magiſtrate is no more than the blind Executor of the Inquiſitor's Sentence; the *Venetian* Senate, by a wiſe Diſtinction, conſiders three Things ſeparately in this Affair: The Judgment concerning the Doctrine for which any Perſon is to be pronounced an Heretick: The Judgment

* This happened *An. Dom.* 1249. Father *Paul* Hiſt. Inquiſ.

† *An. Dom.* 1275. Ibid.

of

of the Fact, *viz.* who embraces and profeſſes that Doctrine: And laſtly, the pronouncing the Sentence. The firſt is acknowledged to belong to the Eccleſiaſtical Court; the two latter they contend belong to the Secular, and was always formerly adminiſtred by Seculars, during the *Roman* Empire. And though ſometimes, by the Indulgence of Princes, the two laſt were allowed to the Eccleſiaſticks, yet the Senate of *Venice* never gave up that Authority, but always order'd their Deputies, and in other Cities of their Territories, the Magiſtrate, to be preſent at all Actions of the Inquiſitors. And ſo great is their Caution, that if any one hath any Commerce with the Court of *Rome*, he cannot aſſiſt at forming the Proceſſes. The proper Buſineſs of theſe Aſſiſtants is, only to be preſent; and if any Thing doubtful occurs, to inform the Prince; and therefore they make no Promiſe of Secrecy to the Inquiſitors, but are obliged to let the Prince know what is done in the Inquiſition. Yea, although one of the Clergy, of the ſame Order with the Inquiſitor himſelf, be accuſed before the Inquiſition, the Civil Magiſtrate muſt be preſent, nor ſuffer the Inquiſitor to proceed, unleſs he be with him, even after the Injunction made. And although the Inquiſitor will communicate the whole Proceſs to him, he muſt nevertheleſs be preſent at it: And if the Eccleſiaſticks ſhould form the Proceſs whilſt the Civil Magiſtrate is abſent, he will command it to be reſumed before him, even although the Proceſs be carried on without the *Venetian* Territories. The Senate hath eſpecially taken Care that neither the Proceſs, nor the Perſons taken up ſhall be ſent out of their Dominions, unleſs by the Advice and Conſent of the Prince. That this Method is obſerved in the Inquiſition at *Venice*, Father *Paul* proves by a plain Example, in his Hiſtory of the *Venetian* Inquiſition. *An.* 1596. One *Lewis Petruccius Senenſis*, was thrown into Priſon at *Padua*. And whereas, according to the uſual Cuſtom of the Inquiſition, the *Roman* Inquiſitor ought to have ſent to *Padua*, the Facts and Proofs which he had againſt him; he on the contrary demanded that the Priſoner ſhould be ſent to him; and urged this Matter at *Rome* to the *Venetian* Ambaſſador, and at *Venice* by the Pope's Nuncio: But the Senate made Anſwer, That it was not proper that that laudable Inſtitution of the Republick ſhould be altered, which orders the Priſoners to be tried in thoſe Places where they are taken up and confined; but that it was juſt, and agreeable to the receiv'd Cuſtom, that whatever Crimes the Priſoner was accuſed of ſhould be tranſmitted to the Inquiſitor at *Padua*, that ſo he might ſuffer the juſt Puniſhment of his Crime. And they thought this ſo evident and manifeſt a Piece of Juſtice, that no Body could oppoſe it. This Affair was controverted on both Sides by many Letters for five whole Years, *Petruccius* being all the while kept in Priſon. But at length the *Romans* finding they could not get the Priſoner into their Poſſeſſion, wrote, *An.* 1601. to the Inquiſitor at *Padua*, to diſmiſs his Priſoner *Petruccius*; which created no ſmall Suſpicion what Sort of Crime it muſt be, which they had rather ſhould go unpuniſhed than diſcover it to the Inquiſitor at *Padua*.

The *Venetian* Senate hath alſo been particularly careful that the Inquiſitors ſhall not have the Power of prohibiting Books, becauſe they may eaſily abuſe it to the Detriment of the Commonwealth; for they oftentimes forbid, or adulterate good Books, and uſeful to the Publick; ſometimes they prohibit Books which have no Relation to their Affairs; and ſometimes becauſe they arrogate to themſelves the Cenſure of all Books, they hinder the Civil Magiſtrate from prohibiting and condemning Books highly injurious to the Government.

From theſe Things and others, which might be mentioned from Father *Paul*, but which for Brevity I omit, 'tis evident that the *Venetian* Inquiſition is not ſo abſolutely ſubject to the Pope as the other *Italian* Inquiſitions are; and that it is not entirely committed to Eccleſiaſticks, but that the Civil Magiſtrate hath a principal Share in the Management of it.

[*Thuanus* relates the ſame of the *Venetian* Inquiſition, *viz.* That the Senate, *An.* 1548. renewed the Edict that had been firſt made, *An.* 1521. ſeveral Perſons ſuſpected as to their Religion, of being Sorcerers, and in a League with the Devil, being put to the ſevereſt Torture, at the Deſire of the Pope's Legate in *Breſcia*; but with this Caution, that Judgment ſhould not be committed only to the Inquiſitors and Biſhops, but that there ſhould be always preſent the Governors of the Places, and ſome Lawyers, who ſhould know and ſee the Depoſitions; that none in their Territories, under the Pretence of Religion, might, through Injuſtice and Covetouſneſs, be oppreſſed; which Caution they obſerved afterwards, when the Doctrine of *Luther* took deeper Footing, and do maintain even to this Day.] *Hiſt. lib.* 5.

## CHAP. XVIII.

### *The* INQUISITION *againſt the* APOSTOLICKS, TEMPLARS, *and others*, &c.

ABOUT the Year of our Lord 1300. there was great Cruelty exerciſed upon certain Perſons called Apoſtolicks, in *Italy*. They ſeem to have been the Offſpring of the *Albigenſes*: Their Riſe is thus deſcribed by *Eymericus*. In the Times of *Honorius* IV. *Boniface* VIII. *Nicholas* IV. and *Clement* V. about the Year of our Lord 1260. there appeared *Geraldus Sagarelli*, in the Biſhoprick of *Parma*, and *Dulcinus* in that of *Novara*. They gathered a Congregation, which they called Apoſtles, who lived in Subjection to none; but affirmed that they peculiarly imitated the Apoſtles, and took on them a certain new Habit of Religion. *An.* 1285. *March*, Ides 5, they were condemn'd by the Letters Patents of *Honorius* IV. beginning, *Olim felicis recordationis*, and afterwards by *Nicholas* IV. *An.* 1290. *Direct. Inquiſ. p.* 2. *qu.* 12.

At length, after their Doctrine had prevailed near forty Years in *Lombardy*, *Sagarelli* was condemned as an Arch-heretick by the Biſhop of *Parma*, and Friar *Manfred* the Inquiſitor, a Predicant, in the Time of *Boniface* VIII. and burnt *July* the 18th, *A. D.* 1300. *Dulcinus*, with ſix thouſand of his Followers of both Sexes, inhabited the *Alps*, who run into all manner of Luxury, as *Pegna* ſays, and gained many Proſelytes for the Space of two or three Years; and that with ſuch Succeſs, as determined *Clement* V. to ſend amongſt them Inquiſitors of the Predicant Order, to put a Stop to ſo great an Evil, either by recovering *Dulcinus* and his Accomplices from their Error, or by acquainting him whether theſe Things were ſo or not, as he had been credibly inform'd, after they had made a ſtrict and diligent Enquiry. Upon their Return they reported to the Pontiff what they had ſeen and heard, who upon being acquainted with their horrid Wickedneſſes and Impurities, publiſhed a Cruſado againſt ſo heinous an Impiety, and promiſed large and liberal Indulgences to all who ſhould engage in ſo pious a War againſt ſuch wicked Men. An Army was accordingly gathered, and ſent againſt them with an Apoſtolick Legate; who coming into the Places where theſe falſe Apoſtles dwelt, and unexpectedly attacking them, they were wholly oppreſſed by this Catholick Army of Croſs-bearers, partly by Hunger and Cold, and partly by Arms. *Dulcinus* himſelf was taken, and eight Years after the Puniſhment of *Geraldus*, was, as an Arch-heretick, with *Margaret* his heretical Wife, his Partner in Wickedneſs and Error, publickly torn in Pieces, and afterwards burnt. The Opinions which *Eymerick* attributes to them agree for the moſt Part with thoſe which are aſcribed to *Peter Lucenſis*, a *Spaniard*, excepting that abominable Principle of promiſcuous Luſt, of which there is not the leaſt mention in the Sentence of the ſaid *Peter*. From whence we may certainly conclude, that this is a mere Calumny upon theſe Apoſtolicks, as well as upon the *Valdenſes*.

*Direct. p. 2. Comm. 37.*

*The Sentence of this* Peter Lucenſis *is as follows.*

*Thol Inq. fol.* 183.

" *Peter Lucenſis*, of the City of *Lugo*, in the Province of *Gallicia*, beyond " *Compoſtella*, the Son of *Vivian* of the City of *Lugo*, as legally appears by his " judicial Confeſſion, hath acknowledged, that twenty Years ſince he began " to obſerve that Order and Life which is called the Life of the Apoſtles in the " Poverty of the Goſpel, and hath obſerved it with all his Power, as far as " his Frailty would allow him, ever ſince he was firſt informed by *Richard* " *Lombard* of *Alexandria*, who obſerved the ſaid Life and Order, altho' the " ſaid *Peter* had heard it reported and did believe that the Church of *Rome* had " condemned and diſallowed the Order of thoſe Apoſtles, and did believe that " ſuch Apoſtles were condemned and perſecuted by the Prelates and Religious, and Inquiſitors of heretical Pravity, eſpecially in *Lombardy*, and altho' he had oftentimes and by many heard it ſaid, that they were excommunicated, who obſerved the ſaid Order and Life of thoſe called Apoſtles, all " which Things notwithſtanding he did believe the ſaid Order of the Apoſtles

" to

" to be good, and that they who obſerved the ſaid Order and Life might be " ſaved by obſerving it, if they did not commit other Sins contrary to the " Commands of God. Being aſked, if he believed that the Pope and Pre- " lates of the *Roman* Church, and the Religious and Inquiſitors, did Evil, and " ſinned in perſecuting that Order, and thoſe who obſerved and adhered to " the ſaid Order; he, after many Words, anſwered finally, that he believed " they did Evil and ſinned in this, that they perſecuted that Good. Being " aſked, if the Sentence of Excommunication pronounced by the Church of " *Rome*, or its Authority, againſt thoſe who obſerved the ſaid Order, did " bind them; he anſwered, that it did not, ſaying, that he had heard it ſaid, " that the Sentence of Excommunication unlawfully or unjuſtly pronounced by " any one, did not excommunicate another, but condemned the Perſon him- " ſelf, and he brought and applied to that Purpoſe ſome Authorities from St. " *Paul* and the Goſpel, and concluded, that he did not think himſelf to be ex- " communicated for holding the ſaid Order, notwithſtanding any Sentence, " altho' he had heard it ſaid oftentimes, and by many, that *Gerard Sagarelli*, " who was the firſt Inventor of the ſaid Order of Apoſtles, and *Dulcinus*, who " held the ſaid Order, and many others of the ſaid Order, were condemned by " the Inquiſitors and Prelates of the *Roman* Church, and left to the ſecular " Arm and burnt. *Item*, Being queſtion'd, if he believed thoſe to be ſaved " who ſuffered Death for the ſaid condemned Order, he would not at firſt an- " ſwer directly that he believed them either to be ſaved or damned. But after " many Days, being aſked and re-examined upon this, he anſwered, that he " did believe that the ſaid *Gerard* was unjuſtly condemned, ſaying, that one " Chriſtian, eſpecially if he be a learned Clerk, and underſtands the Scripture, " ought not to deliver another Chriſtian to Death. *Item*, He expounded ma- " ny Things out of the holy Scripture before the Inquiſitor, according to his " own Underſtanding, to reproach the State of the Church, in which were " contained many erroneous Things; and amongſt other Things, he ſaid and " expounded, that when Poverty was changed from the Church by St. *Silveſter*, " then Sanctity of Life was taken from the Church, and the Devil enter'd into " the Companions of St. *Silveſter* into this World. *Item*, That there was a " double Poverty, the one perfect, which the Apoſtles held, and all thoſe who " follow and imitate them, hereby meaning himſelf, and thoſe like him, *viz.* " to have nothing of one's own, or in common. *Item*, There is an im- " perfect Poverty, ſuch as that of the Religious who live according to the " Rule of St. *Auſtin* and St. *Benedict*, who have Poſſeſſions and Riches in com- " mon, and that ſuch Religious are not perfect in Poverty, becauſe they have " Houſes to abide in, and all Neceſſaries to eat and drink in common. *Item*, " He ſaid that there is a double Church, *viz.* the Spiritual and the Carnal; " that the Spiritual Church is in thoſe Men who live in perfect Poverty, and " in Humility, and ſpiritual Obedience to God, ſuch as they are who imitate " the Life of the Apoſtles and Chriſt: That the carnal Church is of thoſe " who live carnally, and in the Delights of the Fleſh, and in Riches and in " Honours, and in Pomp and Glory, ſuch as are the Biſhops and Prelates of

" the Church of *Rome*, who don't renounce the Things that they poſſeſs, nor " give the Goods of the Church to their Parents, Kinsfolk, and Friends. This " Church he ſays is that carnal Church of which *John* ſpeaks in the *Revelations*, " which he calls *Babylon* the great Whore. *Item*, It is that Beaſt of which " *John* there ſpeaks, which hath ſeven Heads and ten Horns, becauſe ſhe hath " ſeven mortal Sins, and keeps not the ten Commandments. *Item*, It is that " Woman of which *John* there ſpeaks, which had the Golden Cup in her Hand, " full of the Abomination of Sins. *Item*, He expounds the double State of " the Church, where, amongſt other Things, he ſays, that there can be no " Sanctity where there is not true Poverty. So that from the Time that the " State of Poverty of Chriſt and his Apoſtles was changed under Pope *Silveſter*, " Sanctity was taken away.

" Afterwards the aforeſaid *Peter* being judicially required that he would " ſwear to ſpeak the Truth, ſhowed himſelf very backward to ſwear, ſaying " that he was afraid for his Conſcience, and ſaying to the Inquiſitor, that he " ſhould ſee and beware of ſinning by making him ſwear, becauſe God had " forbidden Swearing in the Goſpel. *Item*, After ſome Days the aforeſaid *Peter* " being judicially required that he ſhould take an Oath to ſpeak the Truth, " would not, and wholly refuſed to ſwear, ſaying that he repented that he had " ſworn before the Inquiſitor, and believed that he ſinned by ſwearing, ſaying " that his Conſcience was confirmed that he ought not to ſwear, and in this " Obſtinacy he continued for a Month and more, ſaying that St. *James* in his " canonical Epiſtle, and *Chriſt* in the Goſpel, had forbidden us to ſwear, and " he read the Words of St. *James* in his canonical Epiſtle, and the Words of " the Goſpel. And when it was ſaid and expounded to him that the Apoſtle " *Paul* ſwore, and the Angel, and that the Catholick Church had determined " that it was lawful to ſwear for Affirmation of the Truth, and that it was " the Decree of the Church, that whoſoever, thro' a damnable Superſtition, " ſhould refuſe an Oath, and will not ſwear, ſhall for this alone be adjudged " Hereticks, and ſuffer the juſt Puniſhment of ſuch, notwithſtanding the afore- " ſaid, he the ſaid *Peter* abſolutely refuſed to ſwear, ſaying that the making " ſuch a Statute or Order ſeemed to him erroneous. Being interrogated, if " he believed that the Pope, the Vicar of *Chriſt*, could make any Statute or " Order, by which he and other Chriſtians ſhould be obliged, ſince the Pope " hath the Power of Binding and Looſing on Earth, he anſwered that he " heard a certain learned Paſtor ſay, that ſome miſunderſtood theſe Words of " the Goſpel, *Whatſoever ye ſhall bind on Earth*, &c. becauſe they were ſo to " be underſtood, that as the Pontiff or Prieſt in the Old Teſtament was to " judge between Leproſy and Leproſy, ſo the Pope and Biſhops have no " other Power but to diſcern between Sin and Sin, *i. e.* between thoſe who " are to be bound, and thoſe who are to be looſed, becauſe otherwiſe " they take upon them the Pride of the *Phariſees*, becauſe they mortify Souls " they ought not to mortify, and enliven Souls they ought not to enliven.

" Some Days after this he oftentimes obſtinately refuſed to ſwear, tho' at " length, with great Difficulty, he conſented to ſwear the 7th of the Calends of " *November*.

" *November*. Afterwards on the 4th of the Nones of *November*, the ſaid *Pe-*
" *ter*, being judicially interrogated if he believed that the Lord the Pope could
" forbid, under the Pain of Excommunication, any Perſon to hold the ſaid
" Order of thoſe that call themſelves Apoſtles, which the before-named *Ge-*
" *rard Segarelli* is ſaid to have begun. *Item*, If he believed that they who acted
" contrary to the foreſaid Inhibition of our Lord the Pope under Pain of Ex-
" communication, did incur the Sentence of Excommunication; he anſwered,
" that St. *Gregory* ſays, that if any one excommunicates another unjuſtly, he
" doth not excommunicate that Perſon, but condemns himſelf.

" Being interrogated, if he believed that the Pope, by reprobating and
" condemning the Order of thoſe that call themſelves Apoſtles, and excom-
" municating them who will not forſake it, doth unjuſtly; he anſwered, that
" he did believe that the Pope did unjuſtly and againſt God in ſo doing, be-
" cauſe they who call themſelves Apoſtles were approved of God the Father,
" and that God had done ſeveral Miracles for them, as he heard ſay, and be-
" lieves to be true; and ſaid, that he believed that the Inquiſitors, and Reli-
" gious and others who perſecute thoſe who hold the ſaid Order of the Apoſtles,
" do ſin; and to prove this, alledged Words and Examples, according to his
" own Underſtanding, and would not ſwear, ſaying he had ſworn too much
" already. Finally, the foreſaid *Peter* being judicially required to abjure the
" Sect and Order of thoſe falſe Apoſtles, refuſed to do it, ſaying, that if he
" ſhould ſwear, he ſhould act againſt his Conſcience, and perhaps not obſerve
" what he had ſworn to, and ſo ſhould ſin; and perſiſted in his firſt Opinion,
" that God had abſolutely prohibited ſwearing.

However, at laſt they made him ſolemnly abjure.

In the mean while, the Inquiſition raged with no leſs Cruelty againſt the *Albigenſes* and *Valdenſes* in the Kingdom of *France*, eſpecially in the County of *Tholouſe*. The Penitent were condemned either to wear Croſſes, or to perpetual Impriſonment, and the Impenitent burnt without Mercy. *Thol. Inq.*

At the ſame Time the Order of the Templars was ſuppreſſed by the Command of Pope *Clement* V. *Philip* the Fair, King of *France*, had accuſed this Order of various Hereſies and Wickedneſſes before *Clement*. And as it ſeemed very hard utterly to aboliſh ſo famous and rich an Order, and which had done ſuch excellent Service for the Defence of the Faith, their Cauſe was debated in ſeveral National Councils. At laſt *Clement* held a General Council at *Vienna*, where the Affair being throughly examined, they were condemned for various Hereſies and abominable Crimes; which whether they were true, or whether the People envied them for their immenſe Riches, or whether King *Philip* thirſted after them, 'tis not eaſily to be determined.

After they had been thus condemned in the Council of *Vienna*, all that were in *France* were apprehended at once, as it were by a Signal, and before the third Year on the 13th of *October* put to the Torture. Moſt or all of them, either thro' the Love of Life, or Conſciouſneſs of their Wickedneſs, confeſſed *Bzovius*, *a.* 1311. §. 8.

the

the Crimes they were accuſed of. Many were condemned and burnt alive. Amongſt theſe, *John Mola*, a *Burgundian*, chief Maſter of the Order, when after his Sentence he was carrying to Puniſhment, declared, in the moſt pathetick Manner, his own and his Order's Innocence, even tho' he was promiſed Life and Impunity, if he would openly and humbly aſk Pardon, and retract every thing that he had confeſſed againſt that Order before, begging Forgiveneſs for his falſe Confeſſion. §. 9. The next Year Letters were ſent by the Pope, in which he commiſſion'd the Archbiſhops of *Compoſtella* and *Toledo* to make Inquiſition againſt the Templars in *Caſtile*, joining with them *Eymerick* the Inquiſitor, a Predicant, and other Prelates. In *Aragon* the ſame Affair was committed to the Biſhops *Raymond Valentinus*, and *Somenus Cæſar Auguſtanus*. The ſame was done in all the other Provinces of the Chriſtian World, with this Expedient, that as this Inquiſition was made concerning the moſt weighty Affairs, they ſhould be cognizable only in Provincial Councils. Many of them were put in Irons, and impriſoned in *Aragon* and *Caſtile*. At *Salamanca* there was held a Council of the Fathers, where there being a Debate concerning the Petitioners in Bonds, and their Cauſe throughly underſtood, they were pronounced Innocent by the common Suffrage of the Fathers. Nevertheleſs the Determination of the whole Affair was referred to the Pope, and the Council of *Vienna*. On this the Biſhops and Inquiſitors of the Faith, from *Spain*, *Italy*, *France*, *England*, *Germany*, and other Kingdoms and Provinces, put the Informations into Publick Writing, and propoſing them at the firſt Seſſion of the Fathers at the Council of *Vienna*, demanded a Re-hearing of the whole Cauſe of the Templars, and at length the Fathers decreed that that Order ſhould be ſuppreſſed; and by their Advice Pope *Clement* publiſh'd an Edict the 6th Nones of *May*, *An.* 1312. by which he ſuppreſſes and diſſolves the Order of the Templars, not by a definitive Sentence, but by an Apoſtolick Proviſion or Ordination, and reſerves all their Effects to the Diſpoſal and Appointment of the Apoſtolick See. When this Edict came to the ſeveral Provinces, the Effects of the Templars were every where ſeized, and they themſelves ſeverely puniſhed.

*a.* 1312. §. 2, 3.

Raynald. *a.* 1312. §. 21. Bzovius, *a.* 1307. §. 9. *a.* 1315. §. 11.

In the ſame Council large Power was given to the Inquiſitors of heretical Pravity and the Biſhops, of proceeding againſt Hereticks. One *Walter*, a *Lollard* in the City of *Crema*, and Dutchy of *Auſtria*, had many Followers, who, according to ſome, had their Riſe from *Dulcinus*, who at the Command of Pope *Clement* were burnt by the Inquiſitors, in that City and other Places. Their Number was large in *Bohemia*, *Auſtria*, and the neighbouring Countries. Some affirm they were 80000. Many of them were burnt in ſeveral Places of *Auſtria*, who all of them perſevered in their Opinions with great Chearfulneſs to their Death. And therefore, to extinguiſh both the old Hereticks, and the new ones that might poſſibly ariſe, ample Power was given by the *Vienna* Council to the Inquiſitors and Biſhops, to proceed againſt thoſe who were defiled with that Impurity, and Priſons were order'd to be built to ſecure them in Chains.

In

In *Bohemia* the Office of the Inquiſition was committed to *Peregrine Oppolienſis* and *Nicholas Hippodines*, Predicants; and to *Coldas* and *Herman*, Minorites; who were commanded to manifeſt an holy Ardour againſt the Guilty. The Pope exhorted *John* King of *Bohemia*, *Uladiſlaus* Duke of *Cracow*, *Boleſlaus* Duke of *Wratiſlaw*, and the Marquis of *Miſnia*, that they ſhould not ſuffer Religion to decay and be obſcured by new Errors, but that they ſhould aſſiſt the Cenſors of the holy Faith. Fourteen Men and Women were burnt in *Bohemia*. *Walter*, the Principal of the Sect of the *Lollards*, was burnt at *Colonne*, *An.* 1322. Raynald. *a.* 1319. §. 43. Bzovius, *a.* 1317. §. 37.

About the ſame Time Pope *John*, by a Letter, Nº 190. renewed the Conſtitutions of *Clement* IV. and other his Predeceſſors, againſt the *Jews*, and confirmed by ſeverer Laws the Power given to the Inquiſitors againſt them, and commanded the Book of the *Talmud* to be burnt, and ſuch who were convicted of their execrable Blaſphemies to be puniſhed. Bzovius, *a.* 1319. §. 9.

Nor did he ſhew leſs Severity againſt the *Valdenſes*, reviving about that Time in *France*: For he ordered that many of them, who were convicted of Errors by the Inquiſitors, who were Predicant Friars, ſhould be delivered to the Princes to be puniſhed according to the Eccleſiaſtical Law. There is extant in the *Vatican* Library a large Volume of the Tranſactions of theſe Predicant Friars againſt Hereticks in the Kingdom of *France*, this Year of our Lord 1319. §. 10.

## CHAP. XIX.

### *The* INQUISITION *againſt the* BEGUINS.

THE ſame *John* XXII. condemned the *Beguins* of Hereſy, and commanded the Inquiſitors of Heretical Pravity to proceed againſt them, and to deliver over to the Secular Court all who continued obſtinate in their Error, to be puniſhed with Death.

Theſe *Beguins* were Monks of the Order of St. *Francis*: They are ſeveral Times called, *of the third Rule of St.* Francis. His Rule was, that the Friars of his Order ſhould have no particular Property of their own, neither Houſe, nor Place, nor any thing, but ſhould live by begging: This he called Evangelick Poverty. This Rule was confirmed and approved by ſeveral Popes. But as many believed the Obſervance of it to be above all human Strength, many Doubts aroſe concerning it; ſome contending that they were to renounce the Property of all Things in particular, but not in common, and that it was no ways contrary to the *Franciſcan* Poverty to have the Poſſeſſion of Things in common, ſo that they poſſeſſed nothing in particular. But *Nicholas* III. condemned this Opinion by a Conſtitution, beginning, *Exiit qui ſeminat*. However, tho' all Property was taken from theſe Friars, as well in common as in ſpecial, yet were they *Sext. Decret. de verb. ſign. cap.* 3.

they not deprived of the Uſe of what they had. For *Martin* IV. publiſhed a Bull, *Feb.* Cal. 10. 1282. by which he ordained that the Property, the Right and Dominion of every Thing which the Friars had by Donation or Legacy, ſhould be in the Church of *Rome*; but that the Friars ſhould have the Uſe. He alſo allowed the Miniſters and Keepers of the Order, the Faculty of naming Adminiſtrators, Stewards, Syndicks, who in the Name of the Church of *Rome*, and for the Advantage of the Friars, may receive and demand Alms and Legacies, and ſue for the Recovery and Preſervation of them. *Clement* V. confirmed the ſame in the Council of *Vienna*, by a Conſtitution, beginning, *Exivi de paradizo*, extant among the *Clementines*. However, *Clement* allow'd, that when it appeared very likely, even from Experience, that they could not otherwiſe ſecure the Neceſſaries of Life, they might have Granaries or Storehouſes, in which they might repoſit and keep whatever they could get by begging. He left, indeed, the Miniſters and Keepers to judge of ſuch Neceſſity, and gave it in ſpecial Charge to their Conſciences.

Againſt this, thoſe who were called *Beguins* proteſted, declaring they were of the third Rule of St. *Francis*. They contended that the *Franciſcans* ought in no Caſe to have Granaries or Storehouſes, becauſe this was contrary to the Perfection of the *Franciſcan* Poverty; that the Pope had not Authority to diſpenſe with the Rule of *Francis*, and that if he did, his Decrees were of no Force, and might juſtly be diſregarded. One of them who lived at this Time, *Peter John Olivus*, who wrote a Poſtill on the Apocalypſe, applied to the Pope and Church of *Rome* the Things ſpoken of the Beaſt, and the Whore of *Babylon*, of which frequent Mention is made in the Collection of the Sentences of the *Tholouſe* Inquiſition.

*John* XXII. ſucceeded *Clement*, who, by ſeveral Conſtitutions, condemn'd the Tenet of the *Beguins*, and allowed the *Franciſcans*, that by the Judgment of the Heads of the Order they might lay up and preſerve Corn, Bread and Wine in Granaries and Storehouſes. The *Beguins* believed that ſuch a Conceſſion derogated from the Sublimity and Perfection of their Rule and Poverty, and therefore warmly oppoſed it; and in order to defend their own Rule, dared to deny the Authority of the Pope: Upon this Account they were declared Hereticks, and Commandment was given to the Inquiſitors of heretical Pravity, to bring them before their Tribunal, and to proceed againſt them as Hereticks. This was a bloody Decree, beginning, *Glorioſam Eccleſiam*, in which the Pope gave the Inquiſitors theſe ſpecial Commands: *Call before you, by the Eccleſiaſtical Cenſure, all and ſingular received by them to their Sect, eſpecially ſuch as are profeſſed; examine them concerning the Faith, and enquire carefully and diligently, by your ſelves or others, without Noiſe and the Form of Judgment, concerning the Errors of the aforeſaid, and ſearch after their Complices and Abettors; and if there be need, order them to be taken up and confined, making Uſe, when there is Occaſion, of the Aſſiſtance of the ſecular Arm. Compel Gainſayers and rebellious Perſons, by the Eccleſiaſtical Cenſure; and by a like Cenſure oblige ſuch Witneſſes as you ſhall think proper to examine upon the Premiſes, to give their Teſtimony to the Truth, without allowing to them the Liberty of Appeal.*

*Appeal. Furthermore we will, and by our Apoſtolick Authority decree, that any one of you may proſecute the Affair or Article, though begun by another, even although he who begun it, ſhould be under no canonical Impediment; and that from the Date of theſe Preſents, you, and every one of you, ſhall have perpetual Power and Juriſdiction in all and ſingular the Premiſes, even though not begun, preſent, and future; that ye may be able to proceed againſt the aforeſaid with that Vigour and Firmneſs in the Premiſes, though not begun, preſent and future, as though your, and every one of your Juriſdiction, in all and ſingular the Premiſes, had been perpetuated by Citation or other lawful Manner; notwithſtanding the Edicts concerning the two Days Journey, made in a general Council, and of Pope* Boniface VIII. *our Predeceſſor of bleſſed Memory, by which, as well the Judges as the Conſervators, deputed by the aforeſaid See, are prohibited from proceeding themſelves, or putting others in their Room, without the Cities and Dioceſes in which they were deputed, and from forcing any Perſons more than one Days Journey from the Bounds of ſuch Dioceſe; and any other Conſtitutions to the contrary notwithſtanding.* This Decree was dated from *Avignon, Feb.* Cal. 10. 1318. Soon after four Friars Minors, about the Year 1318. were condemned and burnt as Hereticks at *Marſeilles* by the Inquiſitor of heretical Pravity, who was himſelf a Friar Minor, becauſe, as they ſay, they were reſolved to adhere and keep to the Purity, Truth and Poverty of the Rule of St. *Francis*, and becauſe they would not conſent to make the Rule leſs ſtrict, nor receive the Diſpenſation of the Lord Pope *John* XXII. made concerning it, nor obey him nor others in this Affair. Others of the ſame Order aſſert, that theſe four were unjuſtly condemned, and affirm them to be glorious Martyrs, and that the Pope, if he conſented to their Condemnation, was an Heretick, and forfeited his Power. Upon this, the three next Years, *viz.* from the Year 1318. or thereabouts, they were all condemned for Hereticks by the Judgment of the Prelates and Inquiſitors of heretical Pravity in the Province of *Narbonne*, *Beziers*, *Lodun* in the Dioceſe of *Agde*, and at *Lunelle*, and the Dioceſe of *Magalone*, who believed that the aforeſaid four Friars Minors were holy Martyrs, and who believed and held and thought as they did concerning Evangelical Poverty, and the Power of the Pope, *viz.* that he loſt it, and was become an Heretick. Many however privately gathered up the burnt Bones and Aſhes of theſe four Friars, who had been condemned as Hereticks, and kept them for Reliques, and kiſſed and worſhipped them as the Reliques of Saints; yea, ſome marked their Names and the Days in which they ſuffered in the Calendars. This Account of *Eymerick* agrees well with what we read of the *Beguins* in the Sentences of the *Tholouſe* Inquiſition. Amongſt other Things, we read *Fol.* 155. in the Sentence of *Peter Moreſius de Bello Podio*, that *he believed, that* John XXII. *who was then Pope, and whom he calls the Boar of the Foreſt, had deſtroyed the Incloſure of the Church, and done more harm to the Church of God, than all former Hereticks had done.* In the 156th *fol.* 'tis aſcribed to *Bernard de na Jacina*, that *he ſaid twice or thrice, when he was ſpeaking about the Pope's Power to diſpenſe with the Rule of St.* Francis: *Do you believe that if the Pope bound the Tail of an Aſs upon Earth, the Tail of an Aſs would be bound in Heaven?*

Eymer. *Direct. Inq. Par. 2. Queſt.* 15.

Thus, from a Controverſy originally of no Moment, roſe up at length, thro' the Warmth of Men's Minds, a diſmal Tragedy; and after the Pope's Authority began to be called in queſtion, a ſevere Perſecution was raiſed againſt the *Beguins*. In the Book of Sentences of the *Tholouſe* Inquiſition there are ſeveral Sentences pronounced againſt the *Beguins*, by which they are declared Hereticks, and delivered over as ſuch to the ſecular Court. One of theſe Sentences I will tranſcribe at large.

" *Peter Dominicus* being examined, hath judicially confeſſed all the Er-
" rors of the *Beguins*. *Item*, He believes and aſſerts that the Lord Pope can-
" not grant to the Friars Minors the Power of having Repoſitories and Gra-
" naries to keep Corn or Wine. *Item*, That he neither can nor could
" make or cauſe to be made ſuch a Conſtitution or Declaration, and that it
" ought not to be obeyed if made, becauſe contrary to the Vow of the Friars
" Minors. *Item*, That he can't grant to the Friars Minors, according to
" God, to carry great Habits, large or died. *Item*, That he cannot, by
" his Plenitude of Power, make it lawful for a Friar Minor to become a Friar
" of another Religion or Order, where he may have Poſſeſſions, or any
" thing in common, and that a Friar Minor ought not to obey the Pope in
" this, and that the Pope would ſin in granting ſuch a Diſpenſation. *Item*,
" That the Pope can't give Leave, that a Friar Minor, when made a Biſhop,
" may become Lord of the Temporalties of his Biſhoprick, or handle Money
" with his Hand, becauſe he ought to diſpenſe and adminiſter all moveable
" Effects by another to the Poor. *Item*, He believes and aſſerts, that the
" Goſpel of *Chriſt* is the Rule of St. *Francis* in Chaſtity, Poverty, and Obedi-
" ence, and that the Pope can't diſpenſe with theſe three, or any one of them;
" and that if he ſhould grant a Diſpenſation, he would act contrary to the
" Life of *Chriſt*, and againſt the Goſpel. *Item*, That the Pope can't diſ-
" penſe in any Caſe, that any Perſon under the Vow of Virginity or Chaſtity,
" whether that Vow be ſingle or ſolemn, may marry; and that if he ſhould
" actually diſpenſe, he would herein ſin, and not do according to the Power
" given him of God, which Power he ſays is for the Nouriſhment of Virtue,
" and to be a Remedy againſt Sin. *Item*, That if the Pope ſhould diſpenſe in
" the foreſaid Caſe that ſuch Perſon ſhould marry, it would not be Marriage,
" but Fornication or Adultery and Sin, and that the Children ſo born would
" be adulterous and illegitimate. *Item*, That the Pope can't make any De-
" cretal or Conſtitution which may diſpenſe with the Vow of Virginity, or
" Chaſtity or Poverty, in any Caſe whatſoever, altho' ſome very great Good
" might hereby happen to the Community, ſuch as the reſtoring Peace to any
" Kingdom or Province; and that if the Pope ſhould make ſuch Decretal or
" Conſtitution, it ought not to be obeyed, neither would he obey it. *Item*,
" He aſſerts that he believes and holds that the four Friars Minors who were
" condemned as Hereticks about four Years ago at *Marſeilles*, by the
" Judgment of the Inquiſitor of heretical Pravity, after mature Advice;
" and alſo that the *Beguins* or Friars of the third Order of Penitents, or

" third

" third Rule of St. *Francis*, who were condemned as Hereticks by the Judg-
" ment of the Prelates and Inquiſitor of heretical Pravity of *Carcaſſon*, for
" three, two, and one Year paſt, in the Province of *Narbonne*, and in divers
" Places and Cities, were and are Catholicks at the Time of their Condem-
" nation, and were Martyrs, and ſuffered for ſupporting the Goſpel Truth.
" *Item*, That all thoſe who condemned them, *viz.* the Prelates and Inquiſi-
" tors, and all who conſented to the Condemnation of the aforeſaid, and even
" the Lord the Pope, if he conſented to it, did err, and are become Here-
" ticks, and will be damned unleſs they repent. *Item*, That our Lord Pope
" *John* XXII. is a wicked Man and an Heretick, and is without the Church
" of God for this Reaſon, becauſe he perſecuted the poor *Beguins* of the
" third Rule of St. *Francis*. *Item*, That he hath loſt totally the Power of his
" Juriſdiction of Binding and Looſing, and that he doth not think him to
" be Pope, nor that he is ſubject to him, becauſe he condemns, or con-
" ſents to the Condemnation of the *Beguins*, as Hereticks. *Item*, That all
" thoſe who agree and believe that the Pope did well in perſecuting the afore-
" ſaid *Beguins*, are wicked Men and Hereticks. *Item*, That he would not
" confeſs his Sins to any Biſhop or Prelate, who conſented in the Condemna-
" tion of the aforeſaid *Beguins*; and that if he ſhould confeſs to any one of
" them, he doth not believe that they can abſolve him from his Sins.
" *Item*, That he would not receive any Sacrament from any Prelate, who
" obſtinately oppoſes the Deed of the aforeſaid *Beguins*, ſaying, that every
" ſuch Biſhop hath loſt the Power of conferring the Sacraments. *Item*, That
" all are Hereticks who obſtinately believe and hold contrary to thoſe Things
" which he hath confeſſed, and aſſerts that he believes and holds. *Item*, That
" all who believe and hold the Things which he believes and holds, and are
" under the Commands of God by keeping them, are faithful, and the
" Church of God. *Item*, That it is much greater Perfection for theſe *Be-*
" *guins* to live by Begging, than to live by Labour, or the Work of their
" Hands, altho' the ſaid *Beguins* do not labour in preaching the Goſpel.
" *Item*, That he would not obey the Pope, if he ſhould command him not to
" beg, or otherwiſe to live by his own Labour; and that he would not part
" with the Habit of the *Beguins*, which he wears, at the Command of the Pope.
" *Item*, That he believes and holds and aſſerts, that the Pope can't deſtroy or
" aboliſh any Order formerly confirmed by the *Roman* Church. *Item*, He aſ-
" ſerts that he believes and holds, that the whole Doctrine and Scripture of
" Friar *Peter John Olivi*, of the Order of Friars Minor, is true and catholick,
" according to the Underſtanding which he had therein, as he believes, that
" the Doctrine of St. *John* the Evangeliſt is faithful and catholick, according to
" the Underſtanding which he had therein; and adds, that he believes that as
" *John* the Evangeliſt is in *Paradiſe*, ſo he believes that the aforeſaid Friar *Peter*
" *John* is in *Paradiſe*, altho' St. *John* hath the greater Glory. *Item*, He aſſerts,
" That if the Pope ſhould condemn the Doctrine or Scripture of the aforeſaid
" *Peter John*, he ſhould not think it to be condemned, tho' he ſhould con-
" demn it by a thouſand Bulls, and altho' he ſhould condemn it with the

" Advice of the Cardinals, and all the Prelates, and even of a whole General " Council. *Item*, That he would not believe the Pope, ſaying to him, that " the Doctrine of the ſaid Friar *Peter John* contains Errors and Hereſies, " nor obey the Pope if he ſhould command him to recal what he had ſaid " on this Head; and that if for this he ſhould excommunicate him, he " ſhould not therefore think himſelf to be excommunicated. *Item*, He aſ- " ſerts that he believes and holds thoſe Things to be true, which Friar *Pe-* " *ter John* wrote, in a Poſthil upon the Revelations, of *Babylon* the great Whore " ſitting upon the Beaſt, by which he underſtands and expounds it to be the " Church of *Rome*, which he ſays is *Babylon* the great Whore and the carnal " Church. *Item*, He ſays, that the ſaid *Roman* Church, under the Name of " *Babylon*, is to be damned, and rejected, and exterminated by *Chriſt*, in " that ſixth State of the Church, which now is; and ſays, that the ſpiritual " Church is to be begun and reſtored by the Rejection of the carnal Church, " even as the old Synagogue of the *Jews* was rejected by *Chriſt*, when the Go- " ſpel of *Chriſt* and the primitive Church began. Therefore we the aforeſaid " Inquiſitors, *&c.* leave him, as relapſed, to the Arm and Judgment of the " Secular Court, *&c.* But we will and command that if the aforeſaid *Peter Do-* " *minici* ſhall humbly aſk, and truly repent, he ſhall receive the Sacrament " of Penance and the Euchariſt. *

Bzovius, an. 1322. §. 1.

But this Affair did not end here. Friar *Berengarius*, in a Council of many Divines and Lawyers, ſummon'd by the Biſhop and Inquiſitor at *Narbonne*, defended the Cauſe of the *Beguins*. Friar *John Bemmius*, a Predicant and Inquiſitor, pronounced this heretical, and ordered *Berengarius* to recant. He refuſed, and appealing to the Apoſtolick See, went to *Avignion*, and gave the Pope an Account of the whole Affair, who kept *Berengarius* in honourable Cuſtody, and propoſed it afterwards to all the Academies, and the moſt learned Men all over the World, as a Queſtion fit to be debated, Whether it was not to be eſteemed heretical, obſtinately to affirm, that our Lord *Jeſus Chriſt*, and his Apoſtles had nothing in ſpecial or in common? After the Queſtion was propoſed, that all might give their Opinion with greater Freedom, he ſuſpended the Anathema publiſhed by *Nicholas* IV. againſt the Interpreters of this Senſe, and of the Rule of St. *Francis*, and gave to all free Power to diſpute, write, and give their Senſe concerning the Theſis.

In Decretal. *Exiit.*

* Beſides the Tenets charged upon the aforeſaid *Beguins*, there are others imputed to them of a very flagitious Nature; *viz.* that to kiſs Women and embrace them, provided they did not conſummate the carnal Sin, was greatly meritorious, and an Argument of Fortitude and Abſtinence, and of a ſtrong and acceptable Love of God, and the trueſt Proof that each Party was reſolutely virtuous; and that whatever Lies any Man told a Woman to gain her Conſent to his Deſires, was not Hereſy, ſo that he believed in his Heart that the carnal Act was Sin; even tho' to gain her Conſent he ſhould tell her, that the carnal Act was meritorious, and for the Safety of her Soul, yet that it would not be Sin, if he held the contrary in his Heart. And agreeable to this was their Practice, putting themſelves naked in Bed with naked Women, kiſſing and embracing them in a very lewd manner, boaſting of their Continence and Reſolution, becauſe they abſtained from the laſt carnal Act. Theſe, and many Things of the like kind, are to be found in the Sentence of one *William Ruffi*, in the Book of the Sentences of the *Tholouſe* Inquiſition, *fol.* 196. *b.*

The

The Friars Minors met at *Perouſe*, from all the Provinces of the Chriſtian World, about the next *Whitſontide*. There was preſent *Michael Cæſenas*, General of the Order, and other Provincial Miniſters. Being admoniſhed by ſome Cardinals, that they ſhould give their Opinion in this Affair agreeable to the Senſe of the Fathers, they replied thus: *Adhering firmly and wholly to the Determination of the holy* Roman *Church, we ſay and confeſs with one Heart and Mind, that to ſay and aſſert, that* Chriſt, *ſhewing the Way of Perfection, and his Apoſtles following the ſame Way of Perfection, and giving an Example to others who are willing to live perfectly, had nothing by Right of Property and Domain, no proper Right, whether ſpecial or in common, is not heretical, but ſound, catholick, and faithful: Eſpecially as the holy* Roman *Catholick Church, which is proved never to have deviated or erred from the Path of Apoſtolick Tradition, ſays this expreſly, affirms, and manifeſtly determines it.* Extra de verb. ſignif. Exiit. l. 6. xxiv. *q.* 1. *arecta, & pudenda in fi.*

When this Reſcript of the Chapter was ſeen, by which the Opinion of the *Beguins* was approved, the Pope publiſhed an Edict concerning the Uſe of Things diſtinct from Property, beginning, *Ad conditorem Canonum.* But whn Friar *Bonagratia Bergomenſis*, made by the Chapter Procurator of the Order, proteſted againſt the Pope, and appealed to a future Pontiff, or Oecumenical Council, which Appeal was judged to be inſolent; the Pope by a Decree, beginning, *Cum inter nonnullos viros ſcholaſticos*, declared it to be heretical to aſſert, that our Saviour and his Apoſtles had no Right to uſe or conſume the Things which the ſacred Scriptures teſtify they had, nor any Right to ſell or give them, or procure other Things by them.

But as *Cæſenas* did not acquieſce in this Sentence of the Pope, but oppoſed the Papal Conſtitutions, being aſſiſted by the Friars *Bonagratia Bergomenſis*, *Peter Corbarius*, and *William Ockam*, an *Engliſhman*, in the Year 1329. *May*, Cal. 12. he was declared by the Pope to be a Favourer of Hereticks, an open Heretick, an Arch-heretick, and a Schiſmatick, and degraded from all Offices, Dignities, and Honours whatſoever, and deprived of the Eccleſiaſtical Privilege, and declared incapable of any, and ſubjected to all the Puniſhments and Sentences, Spiritual and Temporal, to which the Favourers of Hereticks, Arch-hereticks, and Schiſmaticks, are liable, by Divine or Eccleſiaſtical Law. The Friars Minors being gathered together in a General Chapter at *Paris*, after they had pronounced *Cæſenas* entirely degraded, and put *Gerard Odonis* into his Place, publiſhed this Sentence of the Pope, and declared that both he and his Companions had incurred the Penalties of Excommunication and Privation, as notorious and manifeſt Apoſtates, which by the Statutes of the Order are well known to be inflicted on thoſe Friars who withdraw themſelves, and apoſtatize from the Obedience of the Order. This Sentence of the Order being ſent to the Pope, he again pronounced *Cæſenas* guilty of various Crimes and Hereſies, and condemned him, *December*, Cal. 16. of the ſame Year. *Corbarius*, terrified with this dreadful Sentence, confeſſed his Errors, and after having read his Confeſſion and Abjuration of his Errors, and ſworn to obey the Apoſtolick Commands, he obtained the Benefit of Abſolution from all Sentences, either of the Law or Men. Bzovius, *a.* 1329. §. 5, &c.

*Cæſenas*

*a.* 1330. *Cæſenas* however not terrified by theſe Denunciations, aſſerted notwith-
§. 6. ſtanding, that he was General of his Order, and a Catholick, and lived ſafe from the Papal Violence with his Followers, under the Government of *Lewis* of *Bavaria*. Upon which the Pope renewed his Curſes againſt them, and cited them by a peremptory publick Edict, to appear perſonally before him, before the Feaſt of the Aſcenſion of our Lord, to hear their
*a.* 1331. Sentence. But as they defended themſelves againſt the Accuſations and Pro-
§. 1, &c. ceſs of the Pope, by the Apologies they publiſh'd, *Gerard Odonis*, General of the Minorite Order, ſententially condemned them as Favourers of Hereticks, Hereticks and Arch-hereticks, and not only deprived them of the Privileges, Graces, Benefits, Habit, Company and Favour of the Order, but condemn'd them to perpetual Impriſonment. He commanded alſo all and ſingular the Keepers and Guardians of Convents, in Virtue of their ſalutary Obedience, that they ſhould publickly declare them in full Convent every Week deprived and excommunicate, and ſententially condemned. And finally, Pope *John* publiſh'd againſt them the thirty eighth, and
*a.* 1335. the two hundred fifty ninth Sanctions. His Succeſſor *Benedict* XII. in the
§. 4. Year 1335. and firſt of his Pontificate, renewed the Curſes that *John* XXII. had pronounced againſt the *Fratricelli* or *Beguins*, and their Complices, and thus render'd them more heavy.

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## CHAP. XX.

### *The* PROCESS *againſt* Matthew Galeacius, *Viſcount* Milan, *and others.*

Raynald. *a.* 1320. §. 13. *a.* 1322. §. 5, &c. Bzovius, *a.* 1322. *a.* 1324. §. 14.

DUring this Quarrel with the *Beguins*, Sentence of Excommunication was pronounced againſt *Matthew Galeacius*, Viſcount *Milan*, and againſt his Sons and Followers. Hereby all the Cities and Lands, ſubject to their Government (as is declared in the Sentence againſt *Caſtruccius Gerius*) and of his Party were put under an Eccleſiaſtical Interdict, and many heavy Sentences publiſh'd againſt all Perſons who adhered to them, favoured, obeyed or aſſiſted them; and that ſolemn Indulgence, which was always granted to thoſe who aſſiſted in the Recovery of the Holy Land, was openly preach'd againſt them. The City it ſelf was deprived of its Charter and all its Privileges and Immunities whatſoever; and all the Citizens and Inhabitants favouring the ſaid condemned *Matthew*, given up to be ſeiz'd by the Faithful, to be made their Slaves by full Right, their Effects granted to any one that could lay hold of them, and their Debtors upon any Account freed from all their Debts, whatever Inſtrument or Oath they were bound by. Farther, all who ſent or bought, or carried Proviſions, or any other Things uſeful in Life, to the City of *Milan*, or who received Pay from them, were ſententially

ally excommunicated. *Matthew* deſpiſed theſe Papal Cenſures, and continued more than three Years under Excommunication. To revenge this Contempt of his Cenſures, *John* XXII. proſecuted him for Hereſy, as contemning the Authority of the Church, and her ſacred Rites; and commanded *Aycard*, Archbiſhop of *Milan*, and the Inquiſitors of heretical Pravity in *Lombardy*, to proceed with all Vigour upon the ſaid Crime of Hereſy; who after ſeveral Citations, at laſt pronounced the definitive Sentence againſt him; in which, amongſt other Crimes this is imputed to him: *That he held erroneous Opinions about the Sacraments, and the Power of the Keys and Church; and had ſuch an abſolute Contempt of them, that he ſuffer'd himſelf to lie under ſeveral Sentences of Excommunication pronounced againſt him both by Men and the Law: He cauſed alſo the Eccleſiaſtical Interdict, which the ſaid City of* Milan *was put under, for the Crimes of* Matthew, *to be ſeveral Times violated, by ordering the Bodies of dead Laicks to be buried in the Churches, and Church Yards, with tolling the Bells, even though the Miniſters of ſuch Churches were againſt it. He alſo cauſed the like to be done in thoſe Lands and Places, which were held by his Sons, though put under the like Interdict.* At length they pronounce Sentence againſt him in theſe Words: *For theſe and many other Reaſons, moving us juſtly and reaſonably thereunto, invoking the Name of Chriſt, and ſitting on our Tribunal, we pronounce the definitive Sentence; and by theſe Writings do ſentence, decree and adjudge the aforeſaid* Matthew, *Viſcount* Milan, *abſent through Contumacy, the divine Preſence making up that Abſence, a manifeſt Heretick: And we condemn the ſaid* Matthew *as an Heretick; and by the ſame Sentence confiſcate, and declare to be confiſcated, all his Effects, moveable and immoveable, Rights, Juriſdictions, and all other Things belonging to him, where-ever they are, and by whatſoever Name they are called. We alſo deprive, and declare to be deprived, the ſaid* Matthew *of his military Belt, Offices, publick Dignities and Honours whatſoever, and ſubject him to the Sentence of Excommunication, perpetual Infamy, and all other Penalties appointed, ordained or promulgated againſt Hereticks; and order his Perſon to be ſeiz'd by the Faithful. Moreover we deprive, or rather declare to be already deprived, the Sons and Grandſons of the aforeſaid* Matthew, *of their Prelatures, Dignities, and other Eccleſiaſtical Benefices, either with Cure or without, and of all publick Offices and Honours whatſoever, which they are known to poſſeſs, and declare them to be for ever hereafter unworthy and incapable of holding Prelatures, Dignities, or other Eccleſiaſtical Benefices, either with Cure or without, and all publick Offices and Honours whatſoever.* This Sentence was pronounced *March* 14, 1322.

The Pope alſo commanded the Archbiſhop and Inquiſitors, that they ſhould proceed againſt all who adhered to Viſcount *Matthew* and his Sons, as againſt Favourers of Hereticks condemn'd by the Church, and puniſh according to the Eccleſiaſtical Law, all who were convicted of being of his Party, and of the other Crimes. The Biſhop of *Parma* and two Abbots publiſh'd theſe Sentences, and commanded the Anathemas to be every where proclaim'd; and order'd *Raymond Cardonus* to gather an Army to chaſtiſe the Rebels. Several Cities were taken, and the Viſcount routed. The Senate and People of *Mi-*

*lan* not enduring thus every Day to be condemn'd, and forbid divine Services, ſent twelve Men to the Legate, to beg Peace and Abſolution. *Matthew* quite broke by theſe Evils and others that threaten'd him, reſigned the Principality to his Son *Galeacius*, and order'd himſelf to be carried into the principal Church, where he complain'd that he was unjuſtly accuſed of Hereſy; and proteſting by an Oath that he was without any Crime deprived of divine Services, he appeal'd to God, the righteous Judge, that he was condemn'd moſt unrighteouſly by the factious Legate, and forced to abandon his Country. Thus departing from the City, and making the ſame Profeſſion the Day after in the Church of St. *John Baptiſt* at *Monza*, he fell into a Fever, and died ſome Days after with Grief and Sorrow. His Sons buried him in a private mean Place, concealing for ſome Time his Death, leaſt his Body ſhould have been burn'd, according to the Order of the Cardinal Legate and Inquiſitors, *October* 30. They uſed the moſt exquiſite Diligence to find it out, but could not diſcover it, though they pronounced many Anathemas againſt thoſe who knew where it was laid, and would not reveal it.

Bzovius, *a.* 1327. §. 7. The like Sentence was pronounced not many Years after by the ſame Pope, againſt *Marſilius Paduanus*, and *John Jandunus*, Aſſertors of the Imperial Authority againſt the unjuſt Uſurpations of the Pope, who pronounced them Hereticks, and manifeſt Arch-hereticks, and commanded all who followed their Doctrine, to be univerſally accounted as Hereticks. He farther enjoin'd all the Faithful that they ſhould not preſume to receive, defend, maintain, or afford, by themſelves, or any other or others, publickly or privately, directly or indirectly, any Aſſiſtance, Counſel or Favour to them, or any of them, but that they ſhould rather avoid them as manifeſt Hereticks. Finally, he orders the Faithful to ſeize on them, that they might proſecute them with a Zeal becoming the Faith; and to take them where-ever they could find them; and when taken, to deliver them to the Church, that they might undergo the deſerv'd Puniſhment.

## CHAP. XXI.

### *The* INQUISITION *introduced into* Poland, *and reſtored in* France.

AS nothing was more ſerviceable to enlarge the Papal Juriſdiction than the Office of the Inquiſition, the Popes were continually endeavouring to promote it; and to eſtabliſh it in thoſe Kingdoms and Countries, that hitherto had been free from ſo grievous a Yoke, that there might not be any Place of Shelter or Refuge in the whole Chriſtian World to ſuch as ſhould in the leaſt contradict their Decrees. *An.* 1327. Pope *John* XXII. by Letters to the King and Prelates of *Poland*, and to the Provincial of the Predicant Friars of the ſame Kingdom, appointed the Inquiſition in *Poland*, which

Bzovius, *a.* 1327. §. 18, &c.

in

in the Year following, 1436. *Uladiſlaus Jagello*, King of *Poland*, confirmed and enlarged, by a Royal Edict, granting them the moſt ample Power, and commanding all the Magiſtrates to give them all Manner of Aſſiſtance in the Execution of their Office.

At this Time the Inquiſition began to decline in *France*; but as there was a pretty large Number of the *Valdenſes* remaining in *Daupheny*, and their Religion began to ſpread wider, *Gregory* applied himſelf to *Charles* King of *France*. He put him in Mind of the Examples of his Predeceſſors in deſtroying Hereticks, and admoniſhed him to ſuppreſs the Nobles of *Daupheny*, who took the Hereticks under their Protection; and that he ſhould ſupport the Authority of the Inquiſitors, not only by ſeverer Edicts, but by ſending ſome Royal Officer to their Aſſiſtance. King *Charles* yielded to the Pope's Deſires; and after the Manner of his Anceſtors, by a Royal Edict, commanded that Hereticks ſhould ſuffer the ſevereſt Puniſhments; and that the Magiſtrates in *Daupheny* ſhould aſſiſt and aid the Officers of the Holy Inquiſition. *Antonius Maſſanus*, Apoſtolick Inter-nuncio, acted in this Affair with ſuch Zeal, that the Priſons were ſcarce ſufficient to hold the Criminals; nor was their Proviſion enough for their Support. *Gregory* having been conſulted in this Matter, order'd, That as the great Number of Hereticks was owing to the Negligence of the Prelates, the Revenues of the Churches ſhould be applied to that Uſe; and commanded new and ſtronger Jails to be built at *Arles*, *Ambrune*, *Vienne*, and *Avignon*, and granted Indulgences to the Faithful who ſhould contribute to the Work. Raynald. *a.* 1375. §. 26, 27.

From *France*, thoſe who were called **Turelupini*, went into *Savoy*: And therefore the Pope commanded *Amedæus*, Count of *Savoy*, to condemn them to the Flames, and aſſiſt the Inquiſitors. *Bzovius* adds, *It came to paſs, that this ſavage and brutal Sect was condemn'd, burn'd, and wholly extirpated this Year.* And again: *Many of theſe Hereticks were burn'd in* France *at the Pope's Command.* But this horrid Cruelty could not laſt long, and proved at laſt fatal to the Judges themſelves. For in *Savoy* the Inquiſitors were killed, by thoſe unqueſtionably who were afraid that the like Cruelty would be practiſed towards themſelves; which when the Pope heard of, he endeavour'd to render the Murderers hateful to Count *Amedæus*, putting him in Mind, that he had given a moſt excellent Example of defending the Faith by his Victories over the *Turks*, and recovering *Callipoli* from them; and that therefore he hoped he would not ſuffer the Blood of thoſe Orthodox Prelates, who were ſlain out of a real Hatred to Piety, to be ſhed with Impunity. Bzovius, *a.* 1372. §. 7. Raynald. *a.* 1375. §. 27.

* Some of the Followers of the *Valdenſes*; ſo called, according to Popiſh Writers, becauſe they inhabited only thoſe Places which were expoſed to Wolves. *Du Freſne in Voce.*

## CHAP. XXII.

### *Of* WICKLEFF, HUSS, *and the* INQUISITION *againſt the* HUSSITES.

Bzovius, *a.* 1377. §. 8, &c.

ABOUT theſe Times *John Wickleff* aroſe in *England*, and not only oppoſed ſeveral of the Errors of the Church of *Rome*, but eſpecially the exorbitant Power of the *Roman* Pontiff, vindicating the Rights of the ſecular Magiſtrates, and teaching that the Clergy were not exempted from their Juriſdiction and Obedience. The Pope, by his Letters to the Univerſity of *Oxford*, *commanded them by Virtue of their holy Obedience, and under the Penalty of being deprived of all Favours, Indulgencies, and Privileges, that had been granted them by the Apoſtolick See, that they ſhould not ſuffer any one to defend* Wickleff's *Propoſitions, but ſhould order* Wickleff *himſelf to be ſeiz'd, and ſend him in ſafe Cuſtody to the Archbiſhop of* Canterbury, *and the Biſhop of* London, *or one of them.* He alſo by Letters commanded the ſaid Archbiſhop of *Canterbury* and Biſhop of *London*, that *they ſhould order* Wickleff *to be apprehended by the Papal Authority, and commit him to Jail, and put him in Irons under ſafe Cuſtody, till farther Orders from himſelf upon this Affair.* And after mention of theſe Things out of his former Letters, he farther commands, *That if the aforeſaid* John, *apprehending his being ſeized and impriſoned, ſhould abſcond, ſo that they could not apprehend and confine him; that then they ſhould take Care peremptorily to admoniſh and cite him, in the Pope's Name, by a publick Edict, to be ſet up in one of the Colleges of* Oxford, *then in the Dioceſe of* Lincoln, *and all other publick Places, to appear and anſwer perſonally to his Propoſitions before the Pope, where-ever he ſhould be, within the Space of three Months, to be computed from the Day of this Citation*; adding, *That whether the ſaid* John *ſhould appear or not, within the ſaid Term, they ſhould proceed againſt him upon the Premiſes, even to the Condemnation he had deſerved, according as his Crimes ſhould require, and as they ſaw fit for the Honour of God, and the Preſervation of the Faith.* And in other Letters he commands them, *That they ſhould endeavour to take* Wickleff's *Confeſſion, and tranſmit it to him by a faithful Meſſenger, ſealed with their own Seals, without ſhewing it to any one, and keep him in Irons till they ſhould receive his farther Commands.* He ſent alſo other Letters to *Edward* King of *England*, by which he requires and earneſtly beſeeches him, *That he would grant his Favour, Protection and Help to the Archbiſhops and Biſhops, and others, employ'd in proſecuting this Affair.* All theſe Letters bare Date *June*, Cal. 11. 1377.

Raynald. *a.* 1388. §. 12. *a.* 1396. §. 9, &c. Bzovius, §. 6. Raynald. §. 17.

After the Death of *Wickleff*, *Richard* King of *England*, commanded by a ſolemn Edict, all his Writings to be burn'd, together with thoſe of *Nicholas Hereford*, and *John Aſton*. In the Year 1396. the Pope wrote to the King, and begged him to aſſiſt the Prelates of the Church in the Cauſe of God, of the King himſelf, and the Kingdom againſt the *Lollards*, and earneſtly beſought him that he would condemn thoſe whom the Prelates ſhould declare Hereticks. The ſame Year *Thomas Arundel*, Archbiſhop of *Canterbury*, and

Apoſtolick Legate, held a Provincial Synod at *London*, to extirpate the Hereſy of *Wickleff*; in which were condemned eighteen of his Articles. After this the Archbiſhop uſed great Severity againſt thoſe who maintained them, many of whom he condemned to the Flames. To ſuch as abjured he appointed an wholeſome Penance, that in the Time of publick Prayers, and in the open Market, they ſhould go in Proceſſion, only with their Shirts on them, carrying in one Hand a burning Taper, and in the other a Crucifix, and that they ſhould fall thrice on their Knees, and every Time devoutly kiſs it.

Soon after aroſe *John Huſs* in *Bohemia*, and began publickly to reprove the diſſolute Lives of all the Orders. Whilſt he inveigh'd only againſt the Secular, all the Divines applauded him; but when once he began openly to reproach them for their corrupt Manners and Vices, they abhorred and deteſted him, and uſed their utmoſt Endeavours to deſtroy him. At that Time, *An.* 1400. *Jerome* of *Prague* returned from *England*, and brought with him *Wickleff*'s Writings, which *Huſs* approved. And ſince many others approved of them, out of Deference to the Doctrine and Authority of *Huſs*, and defended the Articles of *Wickleff*; thoſe Articles were again examined and condemned, *May* 24, 1408. by forty Maſters, and an infinite Number of Batchelors, who prohibited, under the Penalty of the Bann, any Perſon to teach them. *Huſs* was very deſirous to render all this ineffectual; and therefore, as the Foreigners were divided into three Claſſes of Votes, and the *Bohemians* made the fourth, according to the Inſtitution of the School, he ſo order'd it, that the *Bohemians* ſhould be equal in Number of Votes to the other three: Upon which they left *Prague* with Indignation, and went into *Miſnia*, and there condemned again *Wickleff*'s Books, and adjudged them to the Flames. Above 200 Volumes were burn'd, according to *Æneas Sylvius*, fairly written out, and adorned with golden Boſſes and curious Binding.

Not long after this, *Huſs* offer'd certain Theſes to be publickly diſputed, by which he oppoſed the Indulgencies which *John* XXIII. had granted to thoſe who ſhould engage in the Cruciad, which he had ordered againſt the King of *Naples*. *Jerome* of *Prague*, alſo ſhewed their Vanity. At length, after many Proceſſes formed againſt the Memory of *Wickleff*, and againſt *Huſs*, the Council of *Conſtance* aſſembled, and ordered *Huſs* to appear before them, and give an Account of his Doctrine; and to prevent his not coming, *Sigiſmond* the Emperor gave him Letters of ſafe Conduct for his coming there, ſtaying, and departure thence. In this Synod the Doctrine of *Wickleff* and *Huſs* was condemned: Several learned Men were deputed to examine both their Doctrines, who when they had read their Books, pronounced that they had found forty five pernicious Articles in *Wickleff*, and thirty in *Huſs*; which tho' they were not all of them equally impious, ſome being worſe than others, yet all contained deadly Poiſon, and were altogether, or at leaſt, in ſome Part, contrary to the wholſome Doctrine of the Church: Upon this the Synod not only condemn'd the Books, but pronounced Sentence againſt *Wickleff*, though dead, by which they declared him an Heretick, excommunicated him, and ordered his Bones, if they could be found, to be taken out of their Grave and

burn'd. They alſo not only condemn'd *John Huſs*, who came to the Council with Letters of ſafe Conduct from the Emperor; but in Violation of the publick Faith, order'd him to be burn'd alive. The Emperor, that he might have ſome Pretence thus to violate his Faith, made a Decree, that Inquiſition might be made by a proper Judge of heretical Pravity, notwithſtanding the ſafe Conducts granted by Emperors and Kings, *&c.* The Words of the Decree are, *Although they ſhould confide in their ſafe Conduct, and thus come to the Place of Judgment, and would not otherwiſe have come; and that he who ſhould make ſuch a Promiſe, was not oblig'd by it as to any one, becauſe he promiſed what was not in his Power.* Afterwards alſo *Jerome* of *Prague*, terrified with the dreadful Puniſhment of *Huſs*, renounced at firſt, through humane Infirmity, the Doctrine of *Wickleff* and *Huſs*; but ſoon recovered his Courage, and boldly aſſerted and defended it before the whole Synod; upon which they condemned him as a Relapſe, and ordered him to be burn'd.

But ſince many of the Papiſts endeavour to wipe off this Infamy of having violated the Faith, I ſhall take this Occaſion briefly to ſhew that the publick Faith was violated in the Caſe of *Huſs*, by Command of the Synod. They deny that the Synod gave their Faith to *Huſs*, and that 'twas only the Emperor; ſo that the Synod, which was the legal Judge of the Faith, might pronounce Judgment concerning *Huſs*'s Doctrine, although the Emperor had given him Letters of ſafe Conduct; becauſe the Affair of Hereſy is wholly Eccleſiaſtical, and not within the Bounds of the ſecular Power. But the Charge is not, that the Synod violated the Faith by condemning *Huſs* of Hereſy, but becauſe they cauſed him to be burn'd. The Power of the Synod, according to the Papiſts themſelves, extends no farther than to their judging of the Faith, and pronouncing by their Sentence any one an Heretick and Obſtinate, and throwing him out of the Boſom of the Church; after Sentence they immediately deliver him over to the ſecular Power, that he may inflict on him the Puniſhments appointed by the Civil Laws. In this Manner the Synod proceeded in the Cauſe of *Huſs*. After they had declared him an Heretick, and degraded him in the Council, they added this Decree to their Sentence: *This holy Synod of* Conſtance, *conſidering*, N. B. *that the Church of God cannot proceed farther, decrees that* John Huſs *ſhall be left to the ſecular Judgment, and given up to the ſecular Court.* Thus far therefore the Church performed her Duty: All the reſt belonged to the ſecular Juriſdiction. But here the Emperor had taken Care for *Huſs* his Security, by giving him Letters of ſafe Conduct, and therefore could not condemn him to be burn'd without violating his Faith: And therefore the Synod, to remove this Scruple from the Emperor, pronounced by their Decree, that he who bound himſelf by ſuch a Promiſe was in no Manner obliged by it as to any one, becauſe he promiſed what was not properly in his Power to grant. So that the Synod did not properly violate the Faith given by themſelves, but pronounced by their Decree, that Emperors, Kings and Princes were in no Manner obliged by their Promiſes of ſafe Conduct, and that therefore they might with a ſafe Conſcience break them, even when granted by publick

Letters,

Letters, at the Beck of the Council: And this is so manifest from the Decree of the Council of *Constance*, that *Simanca*, a *Spaniard*, proves from thence, that Faith is not to be kept with Hereticks: *Therefore*, says he, *Hereticks are justly burn'd with righteous Flames, by the most grave Determination of the Council of* Constance, *even though they had received the Promise of Safety.* And farther, *Bzovius* relates, that Pope *Martin* endeavouring to dissuade *Alexander*, General of *Lithuania*, from giving any Assistance to the *Bohemians*, thus, amongst other Things, writes to him in his Letter: *But if you have been any Ways engaged by Promise to undertake their Defence, know, that you could not give your Faith to Hereticks, who are Violators of the holy Faith, and that you will sin mortally if you keep it, because a Believer can have no Communion with an Infidel.* What can be clearer? I shall add nothing farther in so evident a Matter. It is enough that I have shewn that the Faith was violated by the Council of *Constance*, the Papists themselves being Judges, and indeed approving it.

*De Cathol. Doct. tit. 46. §. 52. a. 1422. §. 3.*

*Wickleff*, *Hus*, and *Jerome*, and their Doctrine, being thus condemned, *Martin* V. sent Letters to the Archbishops, Bishops, and the Inquisitors of heretical Pravity every where, beginning, *Inter cunctas Pastoralis curæ*, in which he tells them, *That in the Kingdom of* Bohemia, *the Marquisate of* Moravia, *and the neighbouring Places*, John Wickleff, John Hus, *and* Jerome *of* Prague, *Arch-hereticks, had risen up, and that the Council of* Constance *had condemned their Writings and Books. But whereas some of their Followers were in Possession of them; he commands, that all such Persons, and all who approved their Doctrines, and were their Abettors, should be delivered over as Hereticks to the secular Courts: That such who received them, if it were only through common Affection, or the like Causes, should be strictly prohibited: That the Impenitent should be severely punished. He commands Princes to banish them their Dominions. He orders manifest Hereticks, though not condemned, to be punished, and even suspected ones, if they would not canonically purge themselves. He farther commands the Princes to obey the Inquisitors. He orders suspected Persons to be interrogated upon the Articles of* Wickleff *and* Hus, which he afterwards subjoins witht he Interrogatories, *and to be cited for this Purpose. He commands this Bull to be publish'd, and that all* Sundays *and* Festivals *it should be publickly declared, that all Hereticks and their Abettors were excommunicated. That all who held the Errors of the aforesaid Arch-hereticks, and their Abettors, even though confessed, should be punished, if they refused to make a publick Abjuration, or to undergo the Penance enjoined them. Finally, he repeals every Thing contrary hereto.*

By this Decree the Inquisition was restored and established in the Kingdom of *Bohemia*, whereby many were condemn'd of Heresy, and put to Death by various Punishments: Some were burn'd alive, others thrown into the River, ty'd Hands and Feet, and so drowned; and others destroy'd by different Methods of Cruelty.

CHAP.

## CHAP. XXIII.

### *Of the* INQUISITION *in* VALENCE, FLANDERS, *and* ARTOIS.

Bzovius, *a.* 1419. §. 20.

HItherto the Kingdom of *Valence* had no particular Inquiſitor of the Faith. The Inquiſitor at *Roſes* in *Catalonia* exerciſed the Holy Office in that Kingdom by his Vicars and Commiſſaries, ſo that they could not make ſo large a Progreſs in converting the *Jews* and *Moors*, of whom great Numbers lived there. And therefore Pope *Martin*, at the Requeſt of King *Alphonſus*, by Letters dated at *Florence*, *Apr.* Cal. 6. 1419. decreed, that the Office of the Inquiſition in the Kingdom of *Valence*, ſhould, for the future, be governed and adminiſter'd, without any Impediment, not by Commiſſaries and Vicars, but by an Inquiſitor deputed by the Prior, to whom that Affair belongs, who is to reſide there perſonally himſelf, and act as Principal.

Boxhorm. *Hiſt. Belg. p.* 42, *&c.* J. Le Clerc Dom. de Beauvoir.

About the Year 1460. the Inquiſition raged cruelly in *Flanders* and *Artois*, againſt certain Perſons, who were falſly accuſed of Magick, and being in League with the Devil, who, to render the *Valdenſes* odious, were called *Valdenſes*, and the Place in which they were ſaid to have their nightly Meetings, *Valdeſia*. At *Doway*, *Arras*, and other Places, many of them were thrown into Priſon at ſeveral Times, at the Demand of *Peter Bruſſard*, Inquiſitor, where being overcome with Torments, they confeſſed every thing they were charged with, and, amongſt other Things, that they had given themſelves to the Devil, adored him, and known him carnally, and other incredible Things of the ſame kind. When they were condemned to the Fire, they proteſted themſelves innocent, and publickly declared with a loud Voice that they never were in *Valdeſia*, as they called the Place of this nightly Meeting of Witches and Devils; but that they were deceived by their Judges, who by fair Promiſes of ſaving their Lives and Eſtates, if they would confeſs the Crimes objected to them, drew from them a falſe Confeſſion of Crimes they were never guilty of. Others ſaid, that they extorted a falſe Confeſſion from them by Torments, finally beſeeching the By-ſtanders to pray for them to God, to whom they committed their Souls in the Midſt of the Flames. But their Innocence afterwards appeared; for in the Year 1491. theſe miſerable Creatures, with others thrown into Priſon on the ſame Account, were declared innocent by the Sentence of the Parliament of *Paris*, and had their Effects reſtored to them, and their unrighteous Judges were ſeverely fined.

## CHAP. XXIV.

### *Of the* SPANISH INQUISITION.

IN the preceding Chapters we have ſeen how the Inquiſition was brought into ſeveral Kingdoms of *Spain*, but as yet it had not been fixed in *Caſtile* and *Leon*, or was there grown into Diſuſe. *Ferdinand* and *Iſabel* having united the ſeveral Kingdoms of *Spain* by their Inter-marriage, after having obtained ſignal Victories over the *Moors*, order'd Tribunals of the Inquiſition to be erected throughout all their Kingdoms. It is not eaſy to be determined whether they did this out of their blind Zeal for Religion, or that they might poſſeſs their Kingdoms in greater Peace and Security, after having expelled the *Mahometan* and *Jewiſh* Superſtitions out of them, or, as ſome believe, becauſe they affected the univerſal Monarchy of *Europe*, and therefore, by ſome notable Undertaking, to ſhew their great Zeal for the *Roman* Religion, endeavour'd to ſecure the Good-Will and Favour of the Pope. However, as the Inquiſition had flouriſhed for many Years in *Italy*, *France*, *Germany*, *Poland*, and *Aragon*, they introduced the Inquiſition into all their Kingdoms by Authority of Pope *Sixtus*, with greater Pomp, Magnificence and Power, that they might not be exceeded by any Nation, but might rather exceed all others, in their Endeavours to maintain the *Roman* Faith againſt all Oppoſition. The Pretence was this:

That by the Licentiouſneſs of former Times great Corruptions had ariſen in the Kingdom, *Moors*, *Jews*, and *Chriſtians* promiſcuouſly converſing, and having all Sort of Commerce with each other; That by ſuch Commerce and Familiarity ſome Chriſtians might be eaſily infected, and others forſake the Chriſtian Worſhip which they had received, after having renounced their native Superſtition, being weak in the Faith, and having none to forbid them. The Infection was ſaid to have ſpread moſt at *Seville*, where many, after being privately put to the Queſtion, ſuffered the moſt grievous Puniſhments. The Occaſion was this: *Alphonſus Hojeda*, Prior of the Convent of St. *Paul* at *Seville*, a Predicant, had for many Years, in his Sermons to the People, bitterly inveighed againſt thoſe, who, leaving the Profeſſion of Chriſtianity, apoſtatized to *Judaiſm*. This Man was informed by a certain Citizen of the Family of the *Guſmans*, that on a *Thurſday*, during the Feſtival of the Sacrament, the firſt Vigil of the Night, ſeveral *Jews* and Apoſtates had got together in ſome Houſes, and there performed the *Jewiſh* Ceremonies, and uttered execrable Blaſphemies and Reproaches againſt our Saviour. All theſe Things *Guſman* ſaw with his Eyes in a private Part of a Houſe, where he concealed himſelf with a Girl. The Prior perſuaded *Guſman* to write all theſe Things down, and ſign them with his Name, and then immediately went and diſcover'd all to the King and Queen at *Cordova*. They ordered that the Affair ſhould be enquired into. Upon this the Prior put ſix of this Number into

Irons.

Bzovius, *a.* 1478. §. 14.

Param. *l.* 2. *t.* 2. *c.* 3. *n.* 2.

Irons in the Convent of St. *Paul*, afterwards ſeveral more of them, and at laſt ſeverely puniſhed all of them, according to the Nature of their Offence. They who were the moſt guilty were burnt, after long Impriſonment and Torture; ſuch as were leſs guilty, had their Families render'd infamons; great Numbers had their Eſtates confiſcated, and were condemned to eternal Darkneſs and Chains. A large red Croſs, with Croſs Rays, upon a yellow Garment, which they call *San Benito*, different from the reſt, was put on moſt of them, as an Example to others, and by the Severity of the Puniſhment, to be a Terror to them. All theſe Things ſeemed at firſt grievous to the Provincials, but eſpecially that the Children ſhould ſuffer for the Parents Crimes, that People ſhould be render'd guilty by a private Accuſer, and condemned without being confronted with the Informer, contrary to the ancient Cuſtom, when Offences againſt Religion were puniſhed with Death. But what they looked on as the worſt was, that the Inquiſitors took away all Liberty of free Converſation, having their Spies in Cities, Towns, and Villages, which they thought to be the loweſt Slavery. Amongſt many different Judgments, ſome were againſt Death, tho' all thought very ſevere Puniſhments ſhould be inflicted. Amongſt theſe was *Ferdinand Pulgarius*, a Man of a ſharp and ready Wit, who wrote the Hiſtory of King *Ferdinand*. Others thought they ought not to have the Benefit of Life and the common Air; that they ought to be puniſhed with Forfeiture of Goods, and with Infamy, without any Regard to their Children; that this was wiſely provided for by the Laws, that Parents ſhould be render'd more cautious, by their Affection for their Children; that dropping of Actions would be prevented, by allowing private Witneſſes; and that by this Means none would be puniſhed but ſuch as were plainly convicted, or confeſſed: That the ancient Cuſtoms of the Church were often changed, as Affairs and Times required; and that greater Licentiouſneſs ought to be reſtrained with greater Severity. Judges were choſen out of every Province, to whoſe Pleaſure the Fortunes, Reputations, and Lives of all Perſons were committed.

Theſe Tranſactions at *Seville* were ſoon known all over *Spain*, upon which divers Intimations were given to their Catholick Majeſties, that moſt of the *Jews* lately converted to the Faith, whoſe Parents had been perſwaded to believe by the Sermons of St. *Vincentius Ferrerius*, uſed ſecretly in their Houſes the *Jewiſh* Rites, and taught Chriſtians the old Law: That therefore they earneſtly beſought their Majeſties, out of their Catholick Piety, to put a Stop to theſe growing Evils, leaſt the poiſonous Contagion ſhould every Day ſpread farther; for otherwiſe, unleſs a Remedy was immediately applied, great Inconveniences would accrew to the Church of God. Amongſt theſe the Chief were *Peter Gonzalez a Mendoza*, Archbiſhop of *Seville*, Friar *Thomas a Turrecremata*, a Predicant, the Prior of the Convent of the Holy Croſs at *Segovia*, and their Majeſties Confeſſor. By his Inſtigation principally *Ferdinand* and *Elizabeth* placed *Gonzalez Mendoza*, Archbiſhop of *Seville*, over all Cauſes of the Paith, joining in Commiſſion with him Friar *Thomas a Turrecramata*, to recover the Office of the Inquiſition, which in Proceſs of Time had very

much declined in that Kingdom, to its former Vigour and Severity. They determined that the Office of the Inquiſition ought to be reformed. Upon this their Catholick Majeſties earneſtly deſired the Pope, that they might have Power of creating Inquiſitors in the Kingdom of *Caſtile* and *Leon*. *Sixtus* IV. granted it to them; and altho' the Apoſtolical Letters of this Grant are not extant, yet the ſame *Sixtus* makes mention of them in two other Bulls, which are preſerved in the Books of Apoſtolical Bulls, by the General Inquiſitor at *Madrid*, *fol.* 1. and 2. Paramus, *l.* 2. *t.* 2. *c.* 3. *n.* 8.

By Authority of this Bull they appointed only two Inquiſitors at *Seville*, Friar *Michael a Morillo*, and Friar *John a S. Martino*, the firſt Doctor, the other Batchelor of Divinity, both Predicants. *An.* 1482. the Pope confirmed theſe two, who were choſen Inquiſitors by their Majeſties, upon this Condition, that they ſhould proceed in Cauſes of Faith in Conjunction with the Ordinaries of Places, according to the Order of the Law. But becauſe the Pope apprehended that the Inquiſitors, which were ſettled either by the General or the Provincials of the *Dominican* Order in the Provinces, were ſufficient to manage the Affairs of the Faith, he deprived their Majeſties of the Power of making Inquiſitors in other Places. *An.* 1482. the ſame *Sixtus* IV. at the Requeſt of their ſaid Majeſties, appointed by his Bull, bearing Date the 3d of the Ides of *February*, ſeven *Dominicans* Cenſors of the Faith, who might have Cognizance of Matters relating to the Faith in the Kingdoms of *Caſtile* and *Leon*, becauſe the two Inquiſitors at *Seville* were not ſufficient. Theſe, by the Pope's Command, made a ſevere Inquiſition againſt all who were ſecretly guilty of *Judaiſm*.

Within the Time fixed for Perſons voluntarily to confeſs their Sins, with the Hopes of Pardon, about 17000 of both Sexes appeared, who had their Lives granted them. Many however refuſed to obey either the Papal Letters, or Royal Edicts, but perſiſted in their Hereſy; for which they were ſeized upon the Teſtimony of credible Witneſſes, and, thro' the Violence of their Torments, confeſſing their Crimes, were thrown into the Fire; of which ſome are reported to have bewailed their Sins, and acknowledged Chriſt, whilſt others perſiſted in their Errors, calling on the Name of *Moſes*. Within a few Years two thouſand of them of both Sexes were burnt. Others, profeſſing Repentance, were condemned to perpetual Impriſonment, others wore Croſſes; the Bones of others who were dead were taken out of their Graves and burnt to Aſhes, their Effects confiſcated, and their Children deprived of their Honours and Offices. Moſt of the *Jews* being terrified with this Cruelty, left their Country and Houſes, and in this great Diſtreſs of their Affairs, fled from the Kingdoms of their Catholick Majeſties. Many went into *Portugal*, many into *Navarre*, others into *Italy*, others into *France* and other Countries, where they thought they could be ſafe; all whoſe Goods and Effects, moveable and immoveable, if they had any, their Catholick Majeſties diſtributed towards the War, which was then made againſt the *Moors* and other Barbarians. Theſe Things amounted to a prodigious Sum. In *Andaluſia* and *Granada* alone, thoſe who fled with their Wives and Children left five thouſand naked and Bzovius, *a.* 1481. §. 11. Raynald. *Epit.*

empty Houſes. Others, according to *Paramus*, affirm, that their Number was much greater; this is certain, that in the City and Dioceſe of *Seville* only, there were above 100000 Perſons alive or dead, preſent or abſent, who were condemned for Contumacy, or reconciled to the Church.

And thus the different Opinions concerning the Year of appointing the Inquiſition in *Spain* may be eaſily reconciled. The general Opinion is, that 'twas brought in in the Year 1483 or 1484. *Ribadineira*, in the Life of *Ignatius Loyola*, ſays, that it was fixed in the Kingdoms of *Caſtile* and *Leon*, *An.* 1481. and in *Aragon*, *Valencia*, and *Catalonia*, *An.* 1483. *Bzovius* refers the Erection of it in the Kingdom of *Caſtile* to the Year 1478. and ſays that four Years after it paſſed into *Aragon*. They all agree, if we conſider, that the Inquiſition was firſt introduced, *An.* 1478. but that the firſt Inquiſitor General, and the ſupreme Council of the Inquiſition was not fixed till the Year 1483.

*lib.* 2. *cap.* 18.

The Method of this Tribunal, as now in uſe, is this: The King propoſes to the Pope the ſupreme Inquiſitor of all his Kingdoms, whom the Pope confirms in his Office. The Inquiſitor thus confirmed by the Pope, is Head and Chief of the Inquiſition in the whole Kingdom, and hath given him by his Holineſs full Power in all Caſes relating to Hereſy. It belongs to his Office to name particular Inquiſitors, in every Place where there is any Tribunal of the Inquiſition, who nevertheleſs cannot act unleſs approved by the King; to ſend Viſitors to the Provinces of the Inquiſitors, to grant Diſpenſations to Penitents and their Children, and to deliberate concerning other very weighty Affairs. In the Royal City the King appoints the ſupreme Council of the Inquiſition, over which the ſupreme Inquiſitor of the Kingdom preſides. He hath joined with him five Counſellors, who have the Title of Apoſtolical Inquiſitors, who are choſe by the Inquiſitor General upon the King's Nomination. One of theſe muſt always be a *Dominican*, according to the Conſtitution of *Philip* III. dated *Dec.* 16, 1618. Beſides theſe, there is an Advocate Fiſcal, two Secretaries, and one of the King's, one Receiver, two Relators, ſeveral Qualificators, and Counſellors. There are alſo Officials deputed by the Preſident, with the King's Advice. The ſupreme Authority is in this Council of the Inquiſition. They deliberate upon all Affairs with the Inquiſitor General, determine the greater Caſes, make new Laws according to the Exigency of Affairs, determine Differences amongſt particular Inquiſitors, puniſh the Offences of the Servants, receive Appeals from inferior Tribunals, and from them there is no Appeal but to the King. In other Tribunals there are two or three Inquiſitors: They have particular Places aſſigned them, *Toledo*, *Cuenca*, *Valladolid*, *Calahorre*, *Seville*, *Cordoue*, *Granada*, *Ellerena*, and in the *Aragons*, *Valencia*, *Saragoſſa*, and *Barcelona*.

Carena, *tit.* 3.

Theſe are called Provincial Inquiſitors. They cannot impriſon any Prieſt, Knight, or Nobleman, nor hold any Publick Acts of Faith, without conſulting the ſupreme Council of the Inquiſition. Sometimes this ſupreme Council deputes one of their own Counſellors to them, in order to give the greater Solemnity to the Acts of Faith.

Carena, *tit.* 3. §. 8, &c.

Theſe

These Provincial Inquiſitors give all of them an Account of their Provincial Tribunal once every Year to the ſupreme Council, and eſpecially of the Cauſes that have been determined within that Year, and of the State and Number of their Priſoners in actual Cuſtody. They give alſo every Month an Account of all Monies which they have received, either from the Revenues of the Holy Office, or pecuniary Puniſhments and Fines.

This Council meets every Day, except Holy-days, in the Palace-Royal, on *Mondays*, *Wedneſdays*, and *Fridays* in the Morning, and on *Tueſdays*, *Thurſdays*, and *Saturdays* after Veſpers: In theſe three laſt Days two Counſellors of the ſupreme Council of *Caſtile* meet with them, who are alſo Counſellors of the ſupreme Council of the Inquiſition.

This Tribunal is now ariſen to ſuch an Height in *Spain*, that the King of *Caſtile*, before his Coronation, ſubjects himſelf and all his Dominions, by a ſpecial Oath, to the moſt holy Tribunal of this moſt ſevere Inquiſition. *ibid.* §. 12.

This Office is not, as formerly, committed to the *Predicant* or *Dominican* Friars. They began to employ in it the ſecular Clergy, who were ſkilful in the Decrees and Laws, till at laſt the whole Power gradually devolved on them, ſo that now the *Dominican* Friars have no Part in it; tho' the Inquiſitors oftentimes uſe their Aſſiſtance, in judging of Propoſitions, and they are employed as Counſellors in the Holy Office. Pegna *in Direct. Par.* 3. *Comm.* 32.

The firſt Inquiſitor General in the Kingdoms of *Spain*, was Friar *Thomas Turrecremata*, a Predicant, Prior of the Monaſtery of the Holy Croſs at *Segovia*, who was in high Eſteem with their Majeſties, as having often expiated their Sins by Penance. *Paramus* relates, that he was created Inquiſitor General of the Kingdoms of *Caſtile* and *Leon* by *Sixtus* IV. *An.* 1483. and that the Pope gave him Power by his Letters of making ſuch Inquiſitors as he thought proper, and of recalling thoſe who had been Inquiſitors there before, and ordered him to make uſe of the new Method appointed in managing Cauſes of the Faith, which was much more proper than the old one. Afterwards the ſame Pope made the Provinces of *Aragon*, *Valencia*, *Catalonia* and *Sicily*, ſubject to the ſupreme Inquiſitor of *Caſtile* and *Leon*, by his Bull, expedited the ſame Year 1483. This Bull *Innocent* VIII. who ſucceeded *Sixtus* in the Pontificate, confirmed, as far as it related to *Caſtile* and *Leon*, *An.* 1485. and the next Year, as it related to *Aragon*, *Valencia*, and *Catalonia*. *Alexander* VI. did the ſame. *Innocent*'s Bull runs thus:

Innocent *Biſhop*, *Servant of the Servants of God*, *to our beloved Son* Thomas Turrecremata, *of the Order of Predicant Friars*, *and Profeſſor of Divinity*, *Health and Apoſtolical Benediction.* Sixtus IV. *our Predeceſſor of happy Memory*, *in order to extirpate the Hereſies*, *which through the Inſtigation of the great Enemy of Mankind*, *had ariſen in the Kingdoms of* Caſtile, Leon, *and* Aragon, *and other Kingdoms and Dominions ſubject to our moſt dear Son in Chriſt*, *King* Ferdinand, *and to our moſt dear Daughter in Chriſt*, *Queen* Elizabeth, *as we have been informed*, *to our great Grief*, *by diverſe Letters inſtituted and deputed Thee Inquiſitor General of heretical Pravity*, *in all the Kingdoms*, *Dominions*, *and Countries aforeſaid*, *as in the ſaid Letters is more fully contained*, *the Tenor of which is hereby to be fully*

*underſtood, as though they were inſerted in theſe preſent, Word for Word. We therefore deſiring, according to the Duty incumbent on us, that in our Time alſo the Office of the Inquiſition may, as it ought, proceed in a due Manner, do by our Apoſtolick Authority, and by our own certain Knowledge, by Virtue of theſe preſent, approve and confirm ſuch Inſtitution and Deputation, and all and ſingular the Letters for that End, and decree that they ſhall remain in full Strength; and we do now afreſh make, conſtitute and depute Thee to be Inquiſitor in the Kingdoms and Dominions aforeſaid, with the ſame Powers which the ſaid* Sixtus, *our Predeceſſor, had before granted you: We do alſo renew the aforeſaid Letters in all and every Thing; and grant unto you full, free and univerſal Power to take and ſubſtitute other Eccleſiaſtical Perſons, fit, learned, and fearing God, provided they be Maſters in Divinity, Doctors of the Civil or Canon Law, Licenciates, Canons of Cathedral Churches, or otherways in Poſſeſſion of Eccleſiaſtical Dignities, as often, and whenſoever you ſhall know there is need; as alſo to remove any, and put others alike qualified in their room, who ſhall enjoy the like Juriſdiction, Power and Authority of Proceeding with the Ordinary in the ſaid Affair, that any other Perſons do. And becauſe 'tis juſt, that thoſe who labour in ſo holy an Office, Affair, and neceſſary Work, ſhould not be deprived of their Rights, by the ſame Authority we grant to all and ſingular Eccleſiaſtical Perſons, who ſhall be engaged in this Work, and ſo long as they ſhall labour in it, the Fruits, Returns and Profits of all Eccleſiaſtical Benefices, with or without Cure, which they have, or hereafter ſhall have, of what Kind ſoever, in any Churches or Places, freely to enjoy them in the ſame full Manner (all the Dues and Cuſtoms of ſuch Benefices maintained) as they would have enjoyed them if they had perſonally reſided in the ſaid Churches or Places; and that they ſhall not be obliged in the mean Time to reſide in them, nor forced to it by any Perſon or Authority whatſoever; notwithſtanding ye have not made your firſt perſonal uſual Reſidence in ſuch Churches or Places, any Apoſtolical, Provincial, Synodical, or other general Edicts to the contrary, or any ſpecial Conſtitutions, Appointments, Statutes or Cuſtoms of thoſe Churches where ſuch Benefices may be, ſtrengthened by Oath, Apoſtolical Confirmation, or any other Security whatſoever; and although the ſaid Perſons may have hitherto, or hereafter ſhall happen to ſware by themſelves, or their Procurator, that they will ſerve in ſuch Benefices, and not obtain Letters Apoſtolical, to diſpenſe with them, nor make Uſe of ſuch Letters obtained by other or others, or granted to others upon any Account whatſoever, and all other Things to the contrary notwithſtanding, mentioned by the ſaid* Sixtus *our Predeceſſor, in his ſaid Letters Apoſtolical, and all other Things to the contrary notwithſtanding whatſoever. Given at* Rome *at St.* Peter's, *in the Year of the Incarnation of our Lord* 1484, (or 1485.) Feb. Ides 3. *and ſecond Year of our Pontificate.*

In the Year 1484. as we may collect from the firſt Inſtruction of *Seville*, there was held by the Papal Authority, and at the Deſire of their Catholick Majeſties, a famous Aſſembly of Men, moſt learned in both Laws, and in Divinity, at *Seville*, Friar *Thomas de Turrecremata*, Inquiſitor General of all *Spain*, being Preſident, in which the Method of Proceeding againſt heretical Pravity was agreed on, and ſeveral Laws and Conſtitutions made and ſettled, which the Inquiſitors uſe to this Day. This Order was afterwards in-

inlarged by other Inſtructions. In the ſame Aſſembly it was provided that the Inquiſitors ſhould publiſh an Edict in their Dioceſes, by which it was ordered, that whoſoever, within forty, fifty, or more Days, as they ſhould judge proper, ſhould voluntarily and fully confeſs their Errors and Hereſies before the Inquiſitors, and ſhould diſcover other Hereticks, ſhould be admitted to wholſome Penance, and reconciled to the Church, without ſuffering Death, Irons, or the Forfeiture and Confiſcation of their Effects. The Obſervation of *Bzovius* is here remarkable. *From this Beginning the Inquiſition grew up into ſuch an Authority and Power, as makes it the moſt terrible to bad Men throughout the whole Chriſtian World; given by God for the unſpeakable Benefit of the whole Commonwealth, and as a preſent Remedy againſt thoſe threatning Evils with which other Provinces are afflicted: For no human Wiſdom could ever have provided againſt ſuch fatal Dangers.* Neither muſt I omit what *Simancas* ſays: Spain *was always moſt zealous for the Chriſtian Religion, and ever moſt ſincerely reverenced the Catholick Faith, after it once receiv'd it; and bare the greateſt Hatred to Hereticks. All in* Spain *who have Cognizance of the Affairs of Faith, obſerve the Duty of their Office with that Fidelity, that Integrity and Vigilance, that no one dares whiſper any Thing againſt the holy Statutes of the Church. In other Places Men are reſtrained from acting impiouſly, but in* Spain *they are not permitted to ſpeak but according to Piety. In other Places Errors are extirpated when they ariſe; but in* Spain *the very Seeds of Hereſy are deſtroy'd before they ſpring up.*

*Hiſp. Inſtr. 1. cap. 3.* *a.* 1478. §. 14. *De Cathol. Inſtit. tit. 46. §. 41.* Vaſæus *Cronic. Hiſp. tom. 1. c. 9.*

[*Ludovicus a Paramo* relates, that in the Year 1485. there were famous Acts of the Inquiſition, by the Inquiſitors of heretical Pravity, in the Town of *Guadalup*, held in a Pulpit and on a very large Scaffold, erected before the Doors of the Church, in the Church Yard, over againſt the Market Place, in which Acts of the Inquiſition, which were ſeven or eight, Friar *Didachus Marchena*, an heretical Monk, and fifty two for judaiſing, of both Sexes, were deliver'd over to the Fire; forty ſix Bodies of Hereticks were dug out of their Graves, and adjudged to the Flames; the Images of twenty five abſent Perſons were burn'd; ſixteen condemned to perpetual Puniſhment, beſides innumerable others ſent to the Gallies; and others condemned to ware conſecrated courſe Habits, as a Mark of perpetual Penance and Infamy. When theſe Acts were finiſh'd, and the Fathers Inquiſitors were departing from *Guadalup*, they publiſh'd an Edict by the Common Cryer, that within one Month all Perſons, of every Sex and Age, infected with the *Jewiſh* Superſtition, ſhould leave that Town, under the Penalty of being puniſhed as relapſed: And they made it a perpetual Law, that for the Honour of the Virgin Mother of God, and her ſacred Convent and People, no converted Perſon, or of the Race of the *Jews*, ſhould from henceforth ever dwell there. Upon Occaſion of this Edict, Care was taken in the firſt general Chapter, that was afterwards celebrated in the Convent of St. *Jerome*, the Prior of which, Friar *Numinis ab Arevolo*, with other Inquiſitors, held thoſe Acts, that no one of the ſaid Race ſhould ever be admitted to the ſacred Order of St. *Jerome*. What *Paramus* adds farther is ridiculous: That when the aforeſaid Inquiſitor of the holy Office eagerly deſired ſome Sign from the bleſſed Virgin *Mary*, of *Guadalup*, in

*lib. 2. tit. 2. cap. 4. n. 2. p.* 138, 139.

in thoſe Days of the Inquiſition, to exalt the Faith, and for the Confuſion of Hereſies and Errors, there were ſo many evident Miracles wrought by piouſly invocating the holy Virgin, that Doctor *Francis Sanctius de la Fuente*, one of the ſaid Fathers, who had undertaken the Care of writing thoſe Things, was quite tired out with writing them, through the Multitude of the Miracles. For there were ſixty Miracles counted up for the Confirmation of the Faith, the Approbation of the Office of the holy Inquiſition, the Edification of many, and the Diſplay of the Divine Power.

*lib. 2. tit. 2. cap. 8. n. 13. p. 179, &c.* The ſame Perſon relates, that Pope *Sixtus* IV. at the Deſire of *Ferdinand* and *Iſabell*, extended the ſupreme Power of the Inquiſition, which he had granted to *Thomas a Turrecremata*, in the Kingdom of *Caſtile*, to *Aragon*, *Catalonia*, *Valencia*, and *Sicily*. However, great Oppoſition was made to this Tribunal in *Aragon*, many declaring that this new Form of the Inquiſition was contrary to the Prerogatives and Liberties of the Kingdom, and was in it ſelf too ſevere and unrighteous; that the Depoſitions of the Witneſſes were not ſhewn to the Criminals; and that Perſons Eſtates were confiſcated becauſe of ſome heretical Mark; which Things they affirmed were not only contrary to the Uſage of the Kingdom, but to every Rule of Juſtice. And that they might more eaſily obtain the Abrogation of the Inquiſition, they ſent a large Sum of Money to the Courts of the Pope, and of the King. However, they obtained nothing; ſo that at laſt the People broke out into an open Tumult, which *Raynald* and *Ozovius* principally attribute] to the new Converts, who from the *Jewiſh* Superſtition and Race were converted to Chriſtianity. Many of the principal Men joined themſelves to them, who complained that new Laws were introduced contrary to the Liberties of *Aragon*. During this Sedition *Peter Arbueſius*, the Inquiſitor, was killed at *Saragoſſa*, as he was ſaying his Prayers before the High Altar. The Murder was imputed to the *Jews*. [The Murderers, as *Paramus* relates, were not long after all taken up by the Inquiſitors, delivered over to the ſecular Arm, and ſuffered moſt dreadful Puniſhments.] But all Attempts for the Liberty of *Aragon* were in vain; and ſo far was this Tribunal of the Inquiſition in Matters of Religion from being aboliſhed, that upon the Death of thoſe who oppoſed it, it was much more ſtrongly confirmed than ever. For *Ferdinand* and *Iſabel*, to give the greater Authority to the Tribunal of the Inquiſition, gave the Royal Palace at *Saragoſſa* to the Judges of the Faith, and by many Proviſions confirmed the Tribunal of the Faith.

Raynald. *a.* 1485. §. 21, 22. Bzovius, *a.* 1485. §. 10, 11.

They alſo endeavoured to propagate the Office of the Inquiſition in all their Kingdoms. Pope *Innocent* VIII. publiſhed a Decree, *An.* 1491. againſt thoſe who ſhould hinder any from appealing to the Apoſtolick See. When that Conſtitution was publiſhed, it happen'd that the Biſhops of *Segovia* and *Calahorre* in *Spain*, their Parents, Kindred, and ſome other illuſtrious Eccleſiaſtical Perſons, powerful for their Riches and Intereſt, were accuſed of Hereſy before the Inquiſitor General of *Aragon*, *Valencia*, and *Catalonia*. They appealed to Pope *Innocent*, that they might not be tried in the ordinary Court, but that their Cauſe might be determined at the Court of *Rome*. Friar *Thomas Turrecremata*

Bzovius, *a.* 1491. §. 3.

*recremata* was at that Time Inquiſitor General. The King and Queen thought that that Appeal was made to eſcape Juſtice, and would occaſion great Scandal and Danger, and therefore intimated to the Pope what was neceſſary to preſerve the Faith, and beſought him that he would not ſuffer any Perſons, by frivolous Pretences, to bring the ordinary Juriſdiction of the Holy Office into Contempt. The Pope was not ignorant that the Cauſes of the Biſhops, when guilty of Hereſy, belonged to the Apoſtolick See, but however did not cite them to *Rome*, but appointed the Biſhop of *Tournay* his Nuncio or Commiſſary in *Spain*, who ſhould examine the Cauſe jointly with the Inquiſitor, and report the whole Affair upon the Judiciary Proceſs to the Apoſtolick See, and wait for the Determination of his Holineſs thereupon, but ordered that the Inquiſitor ſhould proceed upon all others, who were not Biſhops, accuſed of Hereſy, according to his Office. *This was granted*, ſays *Surita*, *at that Time to the Piety of their Majeſties, whoſe only and principal Care was to put a Stop to Impiety*. *Paramus* adds, "That when it was afterwards found by Experience, *c.* 4. *n.* 14. "and the Event of Things, that great Inconveniences aroſe from that Me- "thod of Proceeding, the Pope ordered that the Inquiſitor General ſhould deter- "mine in all Cauſes of Appeal, which is obſerved to this Day, the Pope ne- "ver ſuffering ſuch Affairs to be brought before the Apoſtolick See upon any "Appeal whatſoever.

In the mean Time, *Ferdinand* had made great Slaughter of the *Moors*, and at laſt entirely ſubdued them in the Kingdom of *Granada*, having reduced the City of *Granada* it ſelf into his Power. And therefore, to purge their Kingdoms entirely of the *Jewiſh* Superſtition, *Ferdinand* and *Iſabel*, by a Law, drove the *Jews* out of *Spain*; to whom, however, after a long Conſultation of the Wiſe Men, was granted the Space of four Years, within which they were either to be converted to the Catholick Faith, or ſell all their Effects, and depart from *Spain*, with all their Goods and Chattels they had purchaſed with Money. For, as *Paramus* ſays, they were not allowed to carry Money out of *Spain*, either Silver or Gold, becauſe it had been prohibited by Law long before for the publick Good. This Edict was render'd more ſevere by a new Conſtitution of *Thomas Turrecremata*, Inquiſitor General of the Faith, in the Month of *April*, who forbid all the Pious to have any Commerce with that Nation, and prohibited them, under a grievous Penalty, not to aſſiſt them with Proviſion, or any other Thing, after the Period of Time that he had ſet them. The ſame *Thomas* had before perſwaded the King and Queen, that they ſhould not, for the Sake of a large Sum of Money, diſpenſe with the Confiſcation of their Effects at the earneſt Prayers of the *Jews*. And he prevailed on them not to do it, as *Antonius de Souſa* relates it. But *Paramus* tells us, that he went up to the Palace, and hid under his Habit a Crucifix, and thus ſpoke to the King and Queen with great Freedom: *I underſtand the King's Affair. Behold the Image of our crucified Saviour, whom that moſt wretched* Judas *ſold to his Enemies for thirty Pieces of Silver, and betray'd him to his Perſecutors. If ye approve that Deed, ſell him for a greater Price. As to my ſelf, I renounce all Power. Let nothing be imputed to me. You muſt give an Account of the Bargain to God.*

Simanc. *tit.* 35. §. 7.

Bzovius, *a.* 1494. §. 39.

*Aphor. Inquiſ. l.* 4. *c.* 22. §. 3.

*lib.* 2. *tit.* 2. *cap.* 3. *n.* 16.

Simanc. *ibid.* *God.* After this, he laid down the Crucifix before them, and departed. When the Time was elapſed, they who perſiſted in their Religion were forced to depart, with their Wives, Children, Servants, Families, and Effects, and forbid ever to return into *Spain*, where if they were ever after found, they were to be immediately puniſhed with Death and Confiſcation of Goods. It was alſo provided by the Pragmatick Laws, that no *Jew* ſhould ever enter *Spain* upon any Pretence whatſoever, under the ſame Penalty of Death, and Confiſcation of Goods, if ever found there; and that it ſhould ſignify nothing, tho' they declared they were willing to be converted to the Faith, unleſs they ſhould make publick Proteſtation of it upon their firſt Entrance into the Kingdom. And if any Chriſtian was convicted of harbouring the *Jews*, all his Effects were to be forfeited. *Pragm.* 5. at *Granada*, 1492. and *Pragm.* 6. *ibid.* 1499. *John Picus*, Earl of *Mirandola*, gives a fine Account of this Expulſion, in his Book againſt Aſtrologers, *lib.* 5 *cap.* 12. The Number of thoſe who were thus baniſhed from *Spain* were four hundred thouſand *Jews*, according to *Reuchlin* and others. *Mariana* ſays, 'tis not eaſy to reduce them to any certain Number. Moſt Writers affirm, there were 170000 Families that departed; others ſay there were 800000 Perſons, a prodigious Number, almoſt exceeding Belief. Some of them, who were a little more dilatory in gathering together their Effects, and would not turn Chriſtians, were ſold for Slaves; and of thoſe who left their Country, *Surita* tells us many died of the Fatigues of Travelling, or the Plague.

Raynald. *a.* 1492. §. 7, 8.

Bzovius, *a.* 1496. §. 15, 16. The *Jews*, thus driven from *Spain*, fled for the moſt part into *Portugal*, and obtained from King *John*, under certain Conditions, that they might live there for a certain Seaſon. The Conditions were chiefly theſe, That every one ſhould pay to the King eight Pieces of Gold, and leave *Portugal* within a limited Time, and forfeit their Liberty if they exceeded it; and that the King ſhould grant them free Liberty to ſail away. Whilſt the King lived, *Bzovius* tells us he took great Care to perform his Promiſe to the *Jews*. He commanded his Officers in the Ports, that they ſhould agree with the Maſters of Ships, for tranſporting the *Jews* where they pleas'd for a reaſonable Price; and farther order'd, that no one ſhould injure them. But it happen'd far otherwiſe: For the Merchants and Maſters, who had receiv'd the *Jews* on board their Ships, uſed them very cruelly at Sea. Not contented with the Price they had agreed for, they uſed all the Methods they could invent to extort more from them, and beſides this, even forced their Wives and Daughters. Theſe horrid Abuſes terrifying the *Jews* that yet remained in *Portugal*, and not being able through Poverty to purchaſe within the Time the Neceſſaries for their Voyage, ſuffer'd it to elapſe, and thus loſt their Liberty; and he who wanted a *Jew* Servant, begged him of the King. In the mean while King *John* died.

His Succeſſor *Emanuel*, finding that the *Jews* could not help ſtaying longer in *Portugal* than the Time fixed them by *John*, gave them all their Liberty. Some Time after this he was adviſed by the King and Queen of *Caſtile* by Letters, not to ſuffer that wicked Nation, hated by God and Man, to abide in *Portugal*. After mature Deliberation of the Affair, he commanded all the

Raynald. *a.* 1496. §. 26, &c.

*Jews* and *Moors* in *Portugal*, who would not profeſs the Chriſtian Religion, to depart the Kingdom, and ſet them a Day, after which, if any of them were found there, they ſhould forfeit their Liberty. The *Moors* immediately paſſed over into *Africa*. And as the *Jews* were preparing to depart, the King commanded that all their Children, who were not above fourteen Years old, ſhould be taken from their Parents, and educated in the Chriſtian Religion. It was a moſt affecting Thing, to ſee Children ſnatched from the Embraces of their Mothers, and Fathers embracing their Children violently torn from them, and even beat with Clubs, to hear the dreadful Cries they made, and every Place filled with the Lamentations and Yells of Women. Many through Indignation threw their Sons into Pits, and others killed them with their own Hands. What added to their Miſery was, that thoſe who would have gone over to *Africa* to avoid theſe Evils, were not ſuffered; for the King deferred giving them the Liberty of ſailing Day after Day. And although at firſt he aſſigned them three Ports, where they might go on board, he afterwards forbid their ſailing from any other but that of *Lisbon*. This brought a vaſt Number of the *Jews* to that City. But in the mean while the appointed Day was paſt, ſo that ſuch of them as could not get off were neceſſarily made Slaves. Moſt of them being overcome with theſe Calamities, choſe rather either ſincerely or feignedly, to make Profeſſion of Chriſtianity, than to live in ſuch Miſeries, and being baptized, recovered their Liberty and Children. No Violence however was offered to the *Moors*, leaſt the *Saracens* in *Aſia* and *Africa* ſhould make Repriſals on the Chriſtians in thoſe Countries.

Raynald. *a.* 1496. §. 26, &c. Bzovius, *a.* 1497. §. 27.

The Papiſts uſually aſcribe this Action of the King's to a pious Mind, and his Zeal to propagate the Chriſtian Religion, and provide for the Salvation of Children, and yet in the mean while condemn it as wicked and unjuſt, and contrary to the Laws and Conſtitution of the Goſpel; ſince it is not lawful to compel any one againſt his Will to the Chriſtian Worſhip, or to take Children from their Parents, unleſs the Parents forfeit their Right in them by their Crimes.

In the Year 1500, *Francis Ximenes*, Archbiſhop of *Toledo*, by the Pope's Perſuaſion, took great Pains to convert the *Moors* of *Granada* to the Chriſtian Faith. He firſt of all gained over their chief Prieſts, which they call *Alfaquins*, by Gifts and Favours. A great Number followed their Example. However others vigorouſly oppoſed *Ximenes*, and endeavoured to deter the *Moors* from Chriſtianity. Ximenes *ordered theſe to be put in Irons in Priſon, and to be very cruelly uſed.* Of this Number was one *Zegri*, who was the moſt powerful amongſt them, upon account of the Nobility of his Birth, and his excellent Qualifications of Mind and Body. Ximenes *laying aſide almoſt all Humanity, determined to puniſh him moſt ſeverely.* He delivered him to one *Peter Lyon, his Chaplain, a Man of a truly Lyon-like Mind*, who ſoon brought him to *Ximenes* his Beck, and made him in a few Days deſire to be carried before the *Alfaquin* of the Chriſtians. Bound and dirty as he was, he came before *Ximenes*, and declared he would be a Chriſtian, for that he had had a Viſion from *Ala* (as the *Moors* call God) that Night, admoniſhing him to it. *But*

Bzovius, *a.* 1500. §. 16.

*truly*, says he, laughing, *I am a Fool to seek for Arguments any where else, but from thy fierce Lyon, to whose keeping, if any of us are committed, they will immediately become Christians.* Upon this he declared himself a Christian, and was baptized, and experienced *Ximenes* his Bounty. He was afterwards of great Service, not only in promoting Christianity amongst his Country-men, but to the Common-wealth. *Ximenes* glorying in this Success, commanded all the Alcorans, and all other Books whatsoever that had any Thing in them of the *Mahometan* Superstition, to be brought publickly together. There were about 5000 Volumes, which were all openly burnt in one Heap to a single Book, except some few relating to Medicine, which for the Honour of so useful an Art, were saved from the Flames, and laid up in the *Complutensian* Library. *Bzovius* adds, *There were however many who thought it unjust, and altogether contrary to the Nature of Christianity, to compel any one by Force, and such like Arts, to profess the Faith of Christ, the entire Tendency of which is Gentleness, and which requires especially a ready and sincere Mind. Besides that in the Councils of* Toledo, *which are reckoned sacred by all Christians, 'tis determined in the most solemn Manner, that no one should be forced to believe in Christ. But he followed his own Judgment, and in the Midst of Danger shewed the Constancy of his Mind, and declared in this important Case the invincible Resolution of his Soul. For in all human Affairs every great Undertaking is sure to raise Envy, which oftentimes overthrows the noblest Designs, and by a thousand Difficulties renders them impracticable.*

One of *Ximenes*'s Family, called *Salzedus*, came with two Servants to the *Albaizinum*. This is a Place in the City of *Granada*, craggy, and hanging over the rest of the City, and separated from it by its own Walls. When they were come here, first there arose reproachful Words between them and the Inhabitants, at last they came to Blows, and the two Companions of *Salzedus* were killed by the Multitude. *Salzedus* fled for it, and with great Difficulty escaped. However the Tumult encreased, so that the whole City was in an Uproar. Their Design was to pull down the House of *Ximenes*. The Tumult lasted ten Days, and was at last suppressed by the Garrison. The *Albaizinenses* were condemned for High Treason, and had the Choice given them of Death or Baptism, upon which to a Man they embraced Christianity. The Archbishop of *Granada* took Care to have them daily instructed in the Christian Mysteries. He also ordered some Lessons out of the Old and New Testament to be read to the new Converts in the *Mooriſh* Language, and permitted the printing of some Books, in which some Parts of the Service of the Mass, and some Passages of the Gospel were translated into *Arabick*. But *Ximenes* would not suffer it, saying, *It was a Sin to throw Pearl before Swine.* He allowed indeed the Use of some Books written by pious Men in the vulgar Tongue; but said, *That the Old and New Testament, in which there were many Things that required a learned and attentive Reader, and a chaste and pious Mind, should be kept in those three Languages only, which God, not without the greatest Mystery, ordered to be placed over his most dear Son's Head, when he suffered the Death of the Cross*; and affirmed, *That then Christianity*

*would ſuffer the greateſt Miſchief, when the Bible ſhould be tranſlated into the vulgar Tongues.*

This Tumult ſpread beyond the Kingdom of *Granada*. *Ximenes*, by the Permiſſion of the Inquiſitors, endeavoured to force certain *Moors* called *Elches*, who had embraced Chriſtianity, and afterwards rejected it, to become Chriſtians again, and commanded their Children to be violently taken from them and baptized. This was the Beginning of Troubles, which afterwards grew to ſuch an height, that the *Moors* formed a Conſpiracy, and rebelled in many Places. But as their Forces were inferior to the *Spaniards*, they were ſubdued, and forced to turn Chriſtians. The King granted, that as many as would ſhould go over to *Africa*, and provided them with Ships to tranſport them at the Port of *Aſtopa*, demanding from every one that went over ten Pieces of Gold only, as the Price of their Liberty. They who would not leave their Country, he ordered to become ſincere Chriſtians. This Agreement being made, many went into *Africa*, *though moſt of them remained in* Spain, *pretending themſelves to be Chriſtians, but not a jot better than thoſe who left it, being of a very obſtinate and wicked Diſpoſition.*

*An.* 1501. *Ferdinand*, King of *Caſtile*, at the Inſtigation of Pope *Alexander*, took great Pains in catechiſing the *Moors*, and preventing their Apoſtacy. He publiſhed an Edict in *Caſtile*, againſt the *Moors* in that Province, and eſpecially againſt thoſe of *Andaluſia*, *Granada*, and *Aragon*, commonly called *Mudegiares*, who lived and traded promiſcuouſly with the Pious, that unleſs they would become Chriſtians, they ſhould depart his Dominions within a certain Day. Bzovius, *a.* 1501. §. 13.

Upon the Death of *Ferdinand*, *Charles* ſucceeded him. The new Converts offered him 800000 Pieces of Gold, if he would command, that the Witneſſes at the Tribunal of the Inquiſition ſhould be always made publick. The young King, who was about eighteen Years old, had a great Mind to the Money. But Cardinal *Ximenes*, Inquiſitor General, ſhewed him the great Danger of ſuch a Method, and that the Church would receive great Injury by it, and by putting him in mind of his Grandfather *Ferdinand*, prevailed with the King to refuſe the Offer. Param. *l.* 2. *tit.* 2. *cap.* 5. *n.* 4.

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## CHAP. XXV.

### *Of the* INQUISITION *in* Portugal.

WE have related in the former Chapter, how that the *Jews* being drove out of *Spain*, were received under certain Conditions by the King of *Portugal*. However, not many Years after, he erected the Tribunal of the Inquiſition in his Kingdom, after the Model of that in *Spain*. *Bzovius* ſpeaks of this Affair, deſcribing the Death of King *John* III. "How *a.* 1557. "great §. 56, 57.

" great his Zeal was to maintain the Faith in its ancient Splendor, his intro-
" ducing the ſacred Tribunal of the Inquiſitors of Hereſy into *Portugal*, is
" an abundant Proof, bravely over-coming thoſe Difficulties and Obſtru-
" ctions, which the Devil had cunningly raiſed in the City, to prevent or
" retard his Majeſty's Endeavours. For he learnt Experience from others,
" and grew wiſe by the Misfortunes of many Kingdoms, which from the
" moſt flouriſhing State were brought to Ruin and Deſtruction by monſtrous
" and deadly Hereſies. And it is very worthy Obſervation, that the Year in
" which the Tribunal of the holy Inquiſition againſt heretical Pravity was
" brought into *Portugal*, the Kingdom laboured under the moſt dreadful
" Barrenneſs and Famine. But when the Tribunal was once erected, the
" following Year was remarkable for an incredible Plenty, commonly called
" the Year of St. *Blaſe*, becauſe, before his Feſtival, which was on the third
" of the Nones of *February*, the Seed could not be ſown in the Ground for
" want of Rain, whereas afterwards Proviſion was ſo very cheap, that a
" Buſhel of Corn ſold for Two-pence."

By what Means King *John* III. brought this Tribunal into *Portugal*, he no
*a.* 1535. § 33. where tells us. Only he gives us a Bull of *Paul* III. beginning, *Illius vices in terris*. By which he approves of the Abſolution and Indulgencies granted by his Predeceſſor *Clement* VII. to ſuch as were already converted, in order to draw over the Hereticks and Unbelievers of the Kingdoms of *Portugal* and *Algarve*, to the true Faith. In this Bull it is related, that *Clement* VII. deputed *Didacus de Silva*, a Minim Friar, Profeſſor of St. *Francis de Paula*, to be his and the Apoſtolick Sees Commiſſary, and Inquiſitor over the new Chriſtians, returning to the *Jewiſh* Rites they had forſaken, and all others embracing Errors and Hereſies, in the Kingdom and Dominions aforeſaid, with full Power to make Inquiſition againſt all who were guilty, or ſuſpected of theſe Crimes, and to impriſon, corrrect and puniſh them; and that afterwards, for certain reaſonable Cauſes, he ſuſpends, by other Letters, during his Pleaſure, the aforeſaid, and all other his Letters whatſoever, and all Faculties and Commiſſions granted in the Premiſſes by the ſaid Letters, to the ſaid *Didacus*, and all Ordinaries of Places whatſoever, and by Friar *Mark* Biſhop of *Senogaglia*, Nuncio of the Apoſtolick See to the King of *Portugal*, acquaints *Didacus* and the aforeſaid Ordinaries, and the other Inquiſitors in thoſe Parts, of theſe laſt Letters. Afterwards there is a long Detail of the Favours granted by *Clement* VII. his Predeceſſor, to the new Converts, or the Deſcendants of the *Jewiſh* Converts, all which he approves and confirms, decreeing that all ſuch Perſons, though impriſoned, and their Crimes notoriouſly proved in their Trials, and they themſelves condemned as Hereticks, ſhall be forgiven all the Puniſhments they were condemned to as ſuch before the Date of the ſaid Letters; that they ſhall not be obliged to confeſs, abjure or renounce; that they ſhall be freed from their Goals, Baniſhments and Banns; that they ſhall enjoy all Privileges and Favours, which are enjoyed by any other of the Faithful of Chriſt, their Children, and Grand-children, and that they ſhall not be under any Mark of Incapacity and Infamy; he makes void, cancels,

blots out, and annuls all Proceſſes and Sentences pronounced againſt them, and other Tranſactions, though after the Date of the foreſaid Letters; he reſtores to them and their Heirs all their confiſcated Effects, if not already brought into the Treaſury; orders that no Inquiſition ſhall be made concerning any Crimes ſavouring of Hereſy, Apoſtacy and Blaſphemy committed by them any Ways, even to the Day of the Date of theſe preſent; that they ſhall not be accuſed of them, or moleſted for them, and that no Prejudice ſhall accrue to them or their Children upon account of them; that they ſhall not be looked on as reconciled and abſolved, and of Conſequence not be accounted as relapſed, if they ſhall afterwards fall into any of the aforeſaid Errors. It is his Pleaſure however that ſuch as are in Priſon, or out on Bail, who have been condemned or convicted of Hereſy, or Apoſtacy from the Faith, or Blaſphemy ſavouring of Hereſy, or have made their Confeſſion, ſhall be obliged publickly to abjure them, before ſome proper Perſon choſen by them; and that having made ſuch Abjuration, they ſhall be releaſed without any publick Penance enjoin'd them, according to the Form of the aforeſaid Letters, duly ſealed. Dated at *Rome*, *Octob.* 12, 1535. This Decree abundantly ſhews, that the Inquiſition was brought into *Portugal* before this Year, and that the Courſe of it had been for ſome time ſuſpended. But we cannot gather from it, when and by what Means it was firſt introduced, and what was the Cauſe of its Suſpenſion. This we muſt learn from other Authors.

*Lewis Paramus* relates, whom many others follow, "That one *Sahavedra* of *Corduba* (*Mendoza* calls him *John Perez de Sahavedra*, by which Name *Paramus* calls his Father, and one of his Brethren) a Forger of Apoſtolical Writings, Briefs or Letters, appointed himſelf Cardinal Legate, *A. D.* 1539. by forged Letters or Bulls, and declared that he was ſent by the chief Pontiff to erect the ſacred Tribunal of the Inquiſition in this Kingdom, which, ſays *Paramus*, the Kings of *Portugal* refuſed to receive. But that afterwards conſidering the great Advantage that would ariſe from the Appointment of the aforeſaid *Sahavedra*, they demanded it from the Pope. *Mendoza* differs ſomewhat from *Paramus*, and atteſts that Cardinal *Taveira*, *An.* 1539. perſuaded the moſt ſerene King of *Portugal John* III. to erect the ſacred Tribunal of the Inquiſition in his Kingdoms, after the Model of that in the Kingdom of *Caſtile*, which, as he ſays, the aforenamed King endeavoured to obtain, *An.* 1535. However both theſe Authors agree in this, that *Sahavedra* erected the Tribunal of the Inquiſition in *Portugal*, and was Inquiſitor General there ſix Months, and that at laſt he was diſcovered and racked in *Caſtile*, and condemned to the Gallies. *Paramus* alſo adds, that *Sahavedra* left this Account of himſelf, written by his own Hand." This ſhort Account is taken from the larger one of *Paramus*, by *Anthony de Souſa*, a Predicant, Maſter of Divinity, Counſellor of the King, and of the ſupream Tribunal of the holy Inquiſition, in his Hiſtory of the *Portugal* Inquiſition prefixed to his Aphoriſms of the Inquiſitors, where he endeavours to refute the Account of

*De Orig. Inquiſ. lib. 2. tit. 2. cap. 15. num. 6.*

*Pa-*

*Paramus*, and gives this different one himself of the Original of the Inquisition in *Portugal*.

The *Jews*, as we have before observed from *Bzovius*, were admitted by *John* II. King of *Portugal*, under certain Conditions, into his Dominion. "*Emanuel* succeeded King *John* II. who in the Year of our Lord 1497. commanded "by a publick Edict, all the *Jews* to depart out of the Kingdoms of *Portugal*, "under the Penalty of forfeiting their Liberty, as his Predeceſſor had before "him; and although they incurred the Penalty, yet ſuch was the King's "Clemency, that it was not inflicted. Many of them indeed departed; but "others, either dreading the bad Treatment they apprehended they ſhould re-"ceive from the Officers, Mariners, and others, who were to tranſport them in "their Ships, or elſe hoping to receive great Advantage from the Fruitful-"neſs of the Country where they dwelt, deſired to become Chriſtians, but "upon this Condition; That they ſhould not be liable to any Inquiſition "concerning the Faith, till after twenty Years: And upon this Condition "they were baptized. But as theſe *Jews* did not profeſs the Catholick Faith "truly and heartily, but feignedly and externally, they remained as much "*Jews* as they were before; and ſo much the more dangerous, becauſe con-"cealed. Thus they brought up their Children in their old Errors of Ju-"daiſm, as daily Experience demonſtrates they do, many of them, to this "Day.

"King *Emanuel* was ſucceeded by *John* III. *An.* 1521. who obſerving that "Judaiſm ſpread greatly in his Time; that the *Jews* publickly profeſſed their "Errors, and taught them others; that his domeſtick Servants, not only ſuch "as proceeded from them, but thoſe who were ancient Chriſtians, were in-"fected with the Poiſon of their Doctrine, contemned the Sacraments of the "Church, did not receive them in the Article of Death, treated with great "Irreverence holy Images, and eſpecially ſome of the Virgin Mother of God, "the Lady of Angels (they are the Words of *Souſa*) conſidering theſe Things "in his Mind, he deſired of Pope *Clement* VII. the holy Tribunal of the In-"quiſition in his Kingdom. And although this Pope, for a long while, and "oftentimes refuſed it, through the vigorous Endeavours of the *Jews*, who "to their utmoſt oppoſed the royal Petition (for the *Jews* always hated this "holy Tribunal, as others do to this Day, for what Reaſon they beſt know) "yet at length, with Difficulty he granted it in Form of Law, *Jan.* Cal. 16, "1531.

"Immediately after this Grant, *An.* 1533. they obtained from the ſame "*Clement* VII. a general Forgiveneſs of all Crimes committed againſt the "Catholick Faith, which however had not then its Effect. But when *Cle-*"*ment* was dead, they obtained in the Year 1534. from *Paul* III. his Succeſ-"ſor, by their importunate Prayers, continu'd Negotiations, and the Help "of thoſe, who by their ſtrenuous Solicitations with the upright Pontiff, "were beſt able to aſſiſt and defend them; that the Inquiſitors of *Portugal* "ſhould be ſuſpended, as to the Form they had made Uſe of to that Time; "and in the Year following, 1535. they procured the general Indulgence,

"which

" which had been granted before by *Clement*, the ſame that we have related " before from *Bzovius*. But the Effect of this was, that this Indulgence did " not lead them to an Amendment of their Crimes; but as the Event proved, " was abuſed to a greater Indulgence of the Jewiſh Superſtitions; ſo that Ju- " daiſm ſpread more and more, as the Pope himſelf declared in his Letters, " dated *July* 15, 1547. in which he revoked, by Reaſon of their Perverſeneſs, " ſeveral Privileges that he had granted them.

" In the mean while King *John* III. perceiv'd that the Faith was more and " more endangered, and as the Pope ſeemed to be negligent in the Affair, " he applied the Remedy of the Inquiſition in the Manner as then appeared " moſt ſuitable to the Caſe; and ſent Letters to the ſaid Pope, worthy of " the holy Zeal which inflamed him; in which he acquainted him, That he " had, with the greateſt Earneſtneſs, ſolicited this Matter for fifteen Years, " before his Predeceſſor *Clement* VII. and himſelf. With theſe Letters, and " the Reaſons contained in them, the Pontiff was prevailed with, and grant- " ed the Inquiſition, *A. D.* 1536. From this Time the ſacred Tribunal of the " Inquiſition, and the Office of Inquiſitor General hath been tranſmitted down, " even to our own Times, in this Kingdom, by an uninterrupted Suc- " ceſſion."

And the more to confirm this Account, he gives us a Liſt of the Inquiſitors General in the Kingdom of *Portugal*, of which the firſt was Friar *Didacus de Sylva*, Biſhop of *Ceuta*, and Confeſſor to King *John* III. whether of the Order of Minims of St. *Francis de Paola*, or of the Minors of St. *Francis* of *Aſſiſe*, Writers do not agree, even to the Eleventh, now nominated by the Catholick King, and to be confirmed by *Urban* VIII. to which he ſubjoins a Liſt of the Deputies or Counſellors of the ſupreme general Inquiſition, created by the ſeveral Inquiſitors General. After this follow the Accounts of the Tribunals of the Inquiſition, erected in the ſeveral Cities of the Kingdom of *Portugal*, and of the Names of the Inquiſitors appointed for the ſeveral Tribunals. The Inquiſition at *Evora* was erected by *Didacus de Silva*, firſt Inquiſitor General, *A. D.* 1537. of which the firſt Inquiſitor was *John de Mello*, Doctor of the Papal Law, and afterwards Biſhop of *Algarva*, and at laſt Archbiſhop of *Evora*, appointed by *Didicus*, the former Year one of the four Counſellors of the ſupreme general Inquiſition. The *Lisbon* Inquiſition was erected by Cardinal *Henry*, ſecond Inquiſitor General, *A. D.* 1539. over which he appointed for firſt Inquiſitor, *John de Mello*, who had been made firſt Inquiſitor at *Evora*, by *Didacus de Sylva*. The ſame Cardinal alſo fixed the Inquiſition at *Coimbra*, *An.* 1541. and placed in it two Commiſſary Inquiſitors, *viz.* Friar *Bernard* of the Croſs, a Predicant, Biſhop of St. *Thomas*, and Rector of the Univerſity of *Coimbra*, and *Gomezius Alphonſus*, Batchelor of the Canon Law, and Prior of the collegiate Church of *Aveiro*. —— And finally the Inquiſition was ſet up at *Goa*, in the *Indies*. *Francis Xaverius*, ſignified by Letters to King *John* III. *November* 10, 1545. " That the Jewiſh Wickedneſs ſpread " every Day more and more in the Parts of the *Eaſt Indies*, ſubject to the " Kingdom of *Portugal*; and therefore he earneſtly beſought the ſaid King

" that

" that to cure ſo great an Evil he would take Care to ſend the Office of " the Inquiſition into thoſe Countries. Upon this Cardinal *Henry*, then In- " quiſitor General in the Kingdom of *Portugal*, erected the Tribunal of the " holy Inquiſition in the City of *Goa*, the *Metropolis* of that Province, and " ſent into thoſe Parts Inquiſitors, Officials, and other neceſſary Miniſters, " who ſhould take diligent Care of the Affairs of the Faith. The firſt In- " quiſitor was *Alexius Diaz Falcano*, ſent by Cardinal *Henry*, *March* 15. *A.* " 1560. who came to *Goa* the End of that Year, and began to execute the " Office of Inquiſitor *.

After having at large related theſe Things, *Souſa* thus concludes, " From " theſe Things, and from the Apoſtolick Bulls, of which the Originals are " preſerved in the royal Archives, and in the Rolls of the holy Inquiſition; as " alſo from the Books of the particular Inquiſitors of this Kingdom, 'tis evident, " that the above mentioned Authors are miſtaken in their Account, that *Sa-* " *havedra* erected the holy Tribunal of the Inquiſition in *Portugal*, or was the " Cauſe of its Erection. For before this the firſt Apoſtolick Brief for its " Inſtitution was publiſh'd, 1531. and the ſecond, *A.* 1536. whereas *Sa-* " *havedra*, according to thoſe Authors, was not till three Years after, *viz.* " *A.* 1539. which *Paramus* ought to have obſerved." But *Paramus* alſo far- ther affirms, That before the Year 1539. the Inquiſition was in *Portugal*, and tells us, that the ſame *Didacus de Sylva* was Inquiſitor; and that this In- quiſition was no better than an Image of the genuine Inquiſition; and that the Inquiſition, after the Manner of *Spain*, was brought in by the Fraud of *Sa- havedra*. *Souſa* adds alſo other very probable Arguments to ſhew the Rela- tion of *Paramus* to be contradictory, and ends his Account with this; " That " 'tis not to be believ'd, that an Impoſtor, pretending to the Authority of a

* [*John Peter Maffeius*, Hiſt. Indic. *l.* 16. *p.* 758, 759. gives a more diſtinct Account of the Original of the Inquiſition at *Goa*. About the ſame Time there was an horrible Wickedneſs com- mitted at *Lorinum*. In the principal Church of that City, there was put up a Cheſt, to receive the Charity of pious Perſons: They who had the Keeping of it, found in it ſome vile Papers, con- taining horrible Curſes and Reproaches againſt Chriſt, the Author of the Salvation of Mankind. Beſides, *Conſalvus Sylveria*, a Jeſuit, a Man noble by his Birth, but much nobler for his Virtue and Learning, who then preached in the ſame City, and afterwards was ſlain for the Cauſe of Chriſt, at *Monomotapa* in *Æthiopia*, was reviled. This moſt impious, wicked and audacious Crime was ſuſpected by many plain Tokens, to be committed by the falſe Brethren of the Circum- ciſion, of which Dregs ſeveral from *Europe* were by Stealth admitted for Money, by the Wardens of the Ports, or Maſters of Ships, and brought into the *Indies*, under the Diſguiſe of Mer- chants. There they conſpired the Prejudice and Deſtruction of the Chriſtian Name, with the *Ægyptians* who were generally *Jews*, and of whom there was a great Number in thoſe Places, and with Perſons of other Nations and Sects. Upon this Occaſion the King began to introduce the ſacred Inquiſition into thoſe Countries, which is there exerciſed to this Day at *Goa*, by proper and approved Perſons, skilful in the Divine Law, to the great Advantage of the Chriſtian Reli- gion. All theſe Things are taken Word for Word out of *Maffeius*, by *Paramus*, *l.* 2. *t.* 2. *c.* xviii.]

This Inſertion the learned Author ordered to be added, *p.* 89. but as he forgot to mark the Word after which it ſhould be put, I have added it, I think, in the proper Place, and in a marginal Note, that I might not ſpoil his Connection.

" Car-

" Cardinal, and Legate a Latere ſent to erect the Inquiſition, could ſtay ſix " Months in this Kingdom, without being diſcovered. For at that Time " the Ambaſſadors of King *John* III. were at the Court of *Rome* to ſolicite " the Affair of the Inquiſition, to whom the King would undoubtedly have " ſignified the Coming of ſuch a Nuncio, and they would have certified him " of the Truth of it, as they had ſix Months to do it in, which yet was no- " ver done. At the ſame time he wonders, as he well may do, at *Paramus*, " that he did not more accurately trace out the Original of that Inquiſition, " of which he intended to treat, even though he himſelf is a Miniſter in " it to this Day, and muſt know the Miniſters of that Time, becauſe there " could be no Difficulty in looking over the Bulls of its Inſtitution or " Foundation, in which we have an Account of it to the preſent Time in " a continued Series without any Intermiſſion."

He thinks *Paramus* was a little too credulous, becauſe, though he confeſſes, " That *Sahavedra* was a wicked Man, accuſtomed to Frauds, and a Cheat, and " that ſuch an Event ſeems very improbable, and contrary to his Underſtand- " ing; yet nevertheleſs believes that it happened juſt as he relates it, and thinks " it abſolutely certain, upon the ſole Authority of *Sahavedra*, who thus wrote " concerning himſelf:" And he therefore thus refutes *Paramus*, who could not perſuade himſelf to think that *Sahavedra* would dare to faſten ſuch a Crime upon himſelf. " As though a Knave, a Cheat, and an infamous Fellow, " would not think it the greateſt Honour to be had in univerſal Remem- " brance for ſo famous an Undertaking, or refuſe to aſſert that this was the " Cauſe of his Puniſhment and Condemnation to the Gallies, that hereby he " might conceal the real Crimes that brought him to this deſerved Puniſhment."

After the Inquiſition had been introduced into *Portugal*, three general Indulgences were granted to the whole Nation of the Deſcendants from the *Hebrew* Converts, in the whole Kingdom and Dominions, ſubject to it, and which were publiſhed all over the Kingdom. The firſt was granted by *Clement* VII. by a Bull expedited, *Ap.* 7th. *An.* 1533. which had not its Effect. Afterwards *Paul* III. who ſucceeded *Clement* in the Popedom, confirmed the general Indulgence which he had given, and granted it anew, *Octob.* 12, 1535. and afterwards, *A. D.* 1536. ſent Letters to erect the holy Tribunal of the Inquiſition, of which I have given an Extract out of *Bzovius*. The ſecond was given by the ſame *Paul* III. *May* 11, 1547. For whereas the Inquiſitors, as they ſay, had before proceeded with great Moderation in Favour of the new Converts, the Good of the Church required that they ſhould proceed againſt Judaiſers according to the Rigour of the Law. And therefore the Pope reduced the Method of Proceſs in the Inquiſition, according to the Form of Law. But leaſt the new Converts and their Children ſhould become ſubject to a rigorous Inquiſition for their paſt Errors, he granted a general Pardon. This was publiſhed *June* 10, 1548. The third was granted by *Clement* VIII. *Aug.* 23, 1604. and publiſhed in *Portugal*, *Jan.* 16, 1605. The Cauſes of it, as we may gather from the Bull it ſelf, were three. Firſt, That the Inquiſitors ordered the Puniſhments againſt Hereticks to be execu-

Souſa, *Aphor. Inquiſ.* l. 4. c. 15.

ted without Remiſſion. Secondly, Leaſt the Deſcendants of the *Hebrews*, finding themſelves precluded from obtaining Pardon, ſhould grow worſe, and add Sins to Sins. Thirdly, Becauſe upon the Grant of ſuch a general Pardon, it was undoubtedly to be hoped, that in a little while, they who had departed the Kingdom, would return to it, and retain the Catholick Worſhip and Faith under Obedience to King *Philip*, who, as *Souſa* ſays, greatly deſires it, and earneſtly ſeeks it.

He who carefully conſiders the Reaſons of theſe Pardons, will eaſily diſcern, that under the Name of Pardon they introduced a greater Cruelty and Rigour. This is too evident by the ſecond Indulgence. They wanted a more ſevere Inquiſition againſt the new Chriſtians; and therefore that they might have ſome Pretence for it, and do it without any Appearance of Wickedneſs, they abrogated the former Inquiſition, that ſo they might introduce a new one much worſe than the former. This *Souſa* very plainly intimates, who defends this Indulgence upon this Account, that *we ſee the Diſpoſition of the Law is juſtly altered and changed, becauſe of new Emergences that ariſe, and becauſe we want a new Remedy.*

*Aphor. Inquiſ. l. 4. c. 19. §. 9.*

Even theſe Indulgences themſelves, though they ſeem very large, yet are limited with many Reſtrictions. " They are indeed granted to all the *Jewiſh* " new Converts to the Faith, of both Sexes, in the Kingdom of *Portugal*, and " Dominions thereof, and to their Children, Grandchildren, and Deſcendants " living in the ſame, whither Natural or Foreigners, preſent or abſent, and " to thoſe alſo who have departed out of the ſaid Kingdoms or Dominions to " other Places, even though put under the Bann. *Clem.* VII. *Paulus* III. and " *Clem.* VIII. However, thoſe who are abſent, have no Benefit from theſe Pardons, if they have not retained the Habit and Name of Chriſtians, but have " openly apoſtatiſed from the Chriſtian Faith. *Clem.* VII. *Paulus* III. and " *Clem.* VIII.

*Ibid. c. 16, 17.*

" All Crimes of Hereſy, Apoſtacy from the Faith, Blaſphemy, and all " other Offences whatſoever, however heinous and qualified, are forgiven to " the aforeſaid Perſons.

" They are abſolved from every Sentence of Excommunication, Suſpenſion and Interdict, and from all other Eccleſiaſtical Cenſures, although they " have been under them for 40 Years and upward, and though the Apoſtolick See ſhould have been conſulted upon account of them, and from thoſe " alſo contained in *Bulla Cœnæ*.

" They are abſolved from all the aforeſaid in the Civil, Criminal and Litigious Courts, and in the Court of their Conſcience and Mind. But from " other Crimes, not ſavouring of heretical Pravity, they are abſolved in the " Court of Conſcience only.

" They are reſtored to the Condition they were in, at the Time they were " baptized, are freed from every Mark of Infamy, contracted by themſelves " or their Kindred, as though they had never departed from the Catholick " Faith. They are reſtored alſo to every Dignity, Degree, Office, Benefice, or Order, in which they were before, and are moreover qualified " to obtain all ſuch Dignities. But *Clement* VIII. did not grant this Qualification.

" All their confiſcated Effects, and all the Profits ariſing from them are " to be returned to them, though they ſhould be in Poſſeſſion of others, pro- " vided they be not brought into the Treaſury.

" All Perſons in Priſon, or otherwiſe in Cuſtody, baniſhed, or under the " Bann, even though under Sentence for the aforeſaid Crimes, are to be " wholly freed from Priſon, Cuſtody, Baniſhment, and the Bann.

" All Proceſſes, Informations, Proofs, Cautions, Surety-ſhips, and Obli- " gations, of every kind, though confirmed with an Oath, are to be made " void. As alſo all Injunctions againſt them for the Crime of Hereſy, Apo- " ſtacy, Blaſphemy, or other Things favouring of Hereſy, ſo that they " ſhall not hereafter in any manner be accuſed, or moleſted upon account " of them: Neither ſhall any Proof, no, not the leaſt, be ever after taken " againſt them for the aforeſaid Crimes.

" No publick Penances are to be enjoined them, and they are to be freed " from thoſe already laid on you.

" Thoſe who are at preſent relapſed, and kept in Priſon for the Crime " of relapſing into Hereſy or Apoſtacy, are not to be delivered over to the " ſecular Court to be puniſhed with Death, but to be diſmiſſed with ſuch Pe- " nalties as the Inquiſitors ſhall think fit to lay on them. *Clement* VIII. grant- " ed them no ſuch Immunity.

" Such who ſhall make uſe of this Favour, though they relapſe into Here- " ſy or Apoſtacy, ſhall not be accounted as relapſed, unleſs they have ju- " dicially abjured."

The Reſtrictions by which theſe Indulgences are circumſcribed and limited, are various. " Such who ſhall fall into any Hereſy, or perſiſt in their old Er- " rors, after the Day of the Publication of this general Indulgence, ſhall not " enjoy the Immunities granted by *Clement* VII.

" None but ſuch as are contrite in Heart, and after Confeſſion in the Sa- " crament of Penance, are abſolved by a Confeſſor choſen by themſelves, " but approved by the Ordinary, ſhall obtain Abſolution in the Court of " Conſcience.

" None ſhall be delivered from the Penances enjoined them by the Inquiſi- " tors, unleſs they have fulfilled them when out of Priſon.

" Such ſhall not be diſpenſed with for their Irregularity, who in Contempt " of the Keys, have celebrated Maſſes, or been otherwiſe preſent at them, " when they have been under Cenſures.

" Thoſe who have abjured, are bound to perform the Penances enjoined " them, who, upon a previous Abjuration, have been delivered out of " Priſon.

" They are not exempted from abjuring before the Inquiſitors, who being " in Priſon, or out upon Bail, have been convicted, or confeſſed; nor are " they freed from their Relapſe, if they ſhall afterwards relapſe into Hereſy " or Apoſtacy.

" According to the Bull of *Clement* VII. it was neceſſary to obtain the In- " dulgence granted by the ſaid Bull, even in the external Court, that they

" ſhould confeſs their Crimes before the Nuncio, Inquiſitors, Miniſters depu-
" ted by them, or Confeſſor choſen by them to whom the Indulgence was
" granted, and that their Names and Sirnames ſhould be written in a Book.
" This Condition was taken away by *Paul* III. and *Clement* VIII. as to the
" Temporal, Criminal, Civil, and Litigious Court, by which the aforeſaid
" Perſons are exempted from Confeſſion, Abjuration, Renouncing, Puniſh-
" ment, and every other Attendance whatſoever.

" They ſhall not enjoy the aforeſaid Immunities, who, at the Time of the
" Publication of theſe Letters, have no manner of Houſe or Habitation in
" the Kingdom and Dominions of *Portugal*, and ſhall not return into the ſaid
" Kingdom or ſome of its Dominions, within the Term preſcribed them by
" theſe Letters.

" The Sentences already pronounced againſt the aforeſaid Perſons, and
" committed to Execution, are not to be annulled."

Beſides theſe three, no other Indulgences have been granted to the new Chriſtians in *Portugal*, and the *Portugueſe* Divines uſe many Arguments to prove that no other ought hereafter to be given them, alledging, amongſt other Things, " That the chief Pontiffs and the Inquiſitors General in the
*Ibid. c. 21. n. 9.* " Kingdom of *Portugal*, have often uſed this Method of Cure without any
" Succeſs. For from the Time of the doubled Indulgence, they are the Words
" of *Souſa*, they were not cured by Mildneſs. When afterwards, from the Year
" 1535, to the Year 1548, ſome Puniſhments were inflicted on them, but not ac-
" cording to the full Rigour of the Law, their Wickedneſs ſtill encreaſed. When
" after this, to the Year 1606. the Law took Force in its full Severity, there yet
" appeared no Sign of Repentance in them. And when again they had the
" Eaſe of a general Indulgence, and ſome Favours were conferred on them,
" their Wickedneſs grew to ſuch an height, that they ſeemed almoſt incurable."
*So that ſince neither Mercy nor Juſtice hath any Effect upon them, greater Extremities muſt be uſed, and they ought to be treated according to the ſevere Sanctions of the ſacred Canons; and becauſe they ſtill remain addicted to the* Jewiſh *Errors, the moſt terrible Puniſhments are to be inflicted on them. For where the Proceſs of the Inquiſition hath not been interrupted by ſo many Indulgences, as in* Spain, *Judaiſm is almoſt extinguiſhed.*

*Ibid. c. 22. n. 4, 5.* *Sebaſtian*, King of *Portugal*, upon Occaſion of his unfortunate and fatal Expedition into *Africa*, granted to the Deſcendants of the *Jews*, for a large Sum of Money, that their Effects ſhould not be confiſcated for ten Years, much againſt the Advice of his Uncle *Philip* II. King of *Spain*: This Indulgence he granted them by the Authority of *Gregory* XIII. by his Bull expedited, *Octob.* 6, 1579. But afterwards upon the Rout of the King's Army by the *Saracens*, Cardinal *Henry*, the King's great Uncle, ſucceeded him in the royal Dignity, who immediately, *Decem.* 19, of the ſame Year, recalled the ſaid Grant, with the Pope's Conſent, alledging this Reaſon in the Decree of Revocation, *That after the moſt mature Conſultation of learned Men, they all agreed that he was bound to make ſuch Revocation, becauſe the Good of the Faith greatly required it.* After *Philip* King of *Portugal* obtained the Crown, the

the new Christians offered him a large Sum of Money, and besought him, that he would procure in their Favour a general Indulgence from the Pope. But he contemned their Prayers, though he was at that Time at War with *France* and *England*, his Divines suggesting to him, *That God was greatly offended with such Money, and that he could expect no prosperous Success from it.*

The following Years the new Christians in *Portugal* endeavoured by many Entreaties to procure the Abolition, or at least Mitigation of the Inquisition. For after that King *Alphonsus* was expelled his Kingdom, and succeeded by his Brother *Peter*, he endeavoured to gain the Affections of his Subjects by Indulgence and Kindness, the better to establish his new Power, which gave some Hopes to the new Christians of being released from the Inquisition. Upon this they deputed certain Persons, who on the 9th of *June*, *An.* 1676. presented, in the Name of the whole Nation, their humble Petition to his Highness, in which they represent to him, that they had before offered their humble Petition to him, for Leave humbly to desire of the Pope some Mitigation of the Inquisition; putting him in mind, that after mature Advice of many Divines, and Doctors of the Law, he had condescended to their Request. They add, that for this End they had sent their Ambassador extraordinary to *Rome*, and that the Office of the Inquisition, and College of Bishops, had also sent thither Deputies, who were both Inquisitors, furnished with the Letters of his Highness. But that they were certified by Letters from *Rome*, that his Ambassador had not only refused to procure them any Assistance, but joined his Endeavours with those of the Inquisitors Deputies, to prevent their Affair from being ever brought on the Carpet, because they did not care that the least Alteration should ever be made in the Laws of the Inquisition. They therefore requested from his Highness an authentick royal Instrument, to certify the Pope, and the supreme Congregation of the Inquisition at *Rome*, that it was not his Highness's Intention, that the Decision of their Cause should be suspended, but that it was his Desire that they should have Justice. The same Day also they presented an humble Petition to the King's Confessor, to beseech him, that he would dispose his Highness to grant their Request.

But as all this proved in vain, they presented an humble Petition to the Pope, *Jan.* 10, 1680. in which they acquaint him, that they were sent and deputed by the new Christians in the Kingdom of *Portugal*, and especially by those who were detained in the Prison of the Inquisition, who were about 500 in Number, of all Sexes and Conditions, some of them having been there twelve, others fourteen, and none of them less than seven Years, and almost destroyed by Nastiness and Filth. They farther relate the various Miseries of the new Christians, and how their Affair hath been prevented from being expedited by the Artifices of the Inquisitors. They therefore beseech the Pope that he would graciously regard and pity that miserable People, and renew his Commands to the Inquisitors to hasten their Affair: And the more to move him, they give him Specimens, which they affirm they can prove by proper Witnesses, by which it plainly appears that the Inqui-

ſitors, notwithſtanding the Pope's Prohibition, continually proceed in the Adminiſtration of their Office, and Oppreſſion of the Miſerable.

The ſame Year, *March* 11. they preſented another humble Supplication to the Pope, in which they acquaint him, that after their having preſented their former Petition, they had received Letters from *Lisbon*, by which they are informed how many Things were tranſacted at Court, in Favour of the Inquiſitors, and ſuch, which in the preſent State of Things, were greatly contrary to their Expectations. They alſo give a large Account of what had happen'd upon Account of the Revolution in the Kingdom; that the Papers and Writings, which they had delivered to the Pope, as alſo the Writings of the Courts and Halls, were in the Poſſeſſion of the *Portugueze* Inquiſitors, who publickly talk'd of them, and permitted every one to read them, by which they prejudiced others againſt them: And therefore beſeech the Pope, that he would regard them, and put an End to their Miſeries.

Finally, in the ſame Year, *Auguſt* 6. they preſented a third Petition, in which they tell him, that they had humbly petitioned the Apoſtolick Nuncio at *Lisbon*, who had referred them to the Archbiſhop of that See: That in Obedience to his Reſcript, they went to the Archbiſhop. That he had a Conference with the Inquiſitor General; and that after a long Conſultation nothing was concluded on. That the Archbiſhop indeed declared, he knew of a Remedy, and could point it out; but that he would not contend with the Inquiſitor about it, till he was ſuſpended and depoſed from his Office by him, who had the legal Authority to ſuſpend and depoſe him. And that therefore, ſince they could not find Relief from his Nuncio, they apply themſelves to the Pope, and moſt earneſtly beſeech him that he would expedite their Affair.

From theſe Accounts 'tis plain that theſe Deputies had ſome Hopes given them of Favour; but that they were deluded with empty Words and flattering Promiſes: For they ſtill groan as before, under the cruel Yoke of the Inquiſition, without any Mitigation of their Puniſhments; and to this Day are liable to all the Penalties ordain'd againſt Hereticks.

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## CHAP. XXVI.

### *Of the* ATTEMPT *to bring the* INQUISITION *into the Kingdom of* NAPLES.

Param. *l.* 2. *t. t.* 2. *cap.* 10.

AFTER *Ferdinand* and *Elizabeth* had brought the Inquiſition into all the Kingdoms of *Spain*, they would feign have introduced it into others, that were under their Dominion. For as many of the *Jewiſh* Race had fled out of *Spain* for Fear of the Inquiſition, into the Kingdom of *Naples*, and as that Kingdom had been again brought into Subjection to *Ferdinand*, *Didacus Deza*

*Deza* at that Time General Inquiſitor of *Spain*, ſent thither in the Year 1504. *Peter Balforatus*, Archbiſhop of *Meſſina*, with the Power of Inquiſitor. *Ferdinand* gave him Letters to the Governor, Nobles, and Univerſity of *Naples*, that they ſhould give him all Aſſiſtance and Favour. He tells them that a great Number of Hereticks, having fled from the Kingdoms of *Spain*, through Fear of the holy Office of the Inquiſition, had ſheltered themſelves there as in a Place of Safety, who had been burn'd in Effigy becauſe of their Abſence; and that therefore, to purge that Kingdom from the Crime of Hereſy, he had appointed *Peter Balforatus*, Inquiſitor of heretical Pravity: He therefore commands them to receive him as ſuch, to give him in all Things the Aſſiſtance of the ſecular Arm, and not to ſuffer him, or any of his Family to be moleſted. But as there aroſe many Difficulties and Diſcouragements, he could not finiſh his Undertaking.

In the Year 1547. *Charles* V. being Emperor, *Peter* of *Toledo*, Viceroy of *Naples*, endeavour'd to introduce the Inquiſition there, by the Command of *Charles*. But as he apprehended this would be a difficult Thing, he put thoſe into the publick Offices, who he thought would be moſt forward to promote it. After this he publickly declared, That it would greatly tend to the Eſtabliſhment of Divine Worſhip, would be ſerviceable to the Commonwealth, and be highly grateful to the Emperor; if after the Example of the *Spaniards* and *Sicilians* they would receive the holy Office. But the *Neopolitans* were ſo moved with the Novelty of the Thing, that they publickly declared that they would rather looſe their Lives than ſubmit to the Inquiſition; and cry'd out, that the Extirpation of Hereſies belonged to the Pope and the Eccleſiaſtical Judges, and not to the Temporal Prince. When Pope *Paul* III. underſtood this, he declared by his Apoſtolick Bull, That the Inquiſition againſt Hereticks belonged to him and his Judges, and not to any other. The King indeed would have had the Inquiſition at *Naples* to be ſubject to the ſupreme Council of the *Spaniſh* Inquiſition, as were thoſe of *Sicily*, *Sardinia*, and the *Indies*; whereas the Court of *Rome* would have had it ſubject to them, becauſe not only the Eccleſiaſtical but Secular Government of the Kingdom of *Naples* is under the Pope. However the Viceroy, that he might not ſeem to yield to popular Fury, appointed Inquiſitors and Officials of the holy Office; with which the *Neapolitans* were ſo enraged, that on a certain Day, when two Perſons were leading to Priſon, and crying out they were taken up by the Inquiſition, they broke into open Sedition, ran immediately to Arms, and bound themſelves by mutual Oaths, inſomuch that there was a Civil War, between the Citizens of *Naples*, and the *Spaniſh* Garriſon, in which many on both Sides were ſlain. At length the *Spaniards*, who held the Fortreſſes, prevailing, and beating down their Houſes with their great Guns, the Tumult was appeaſed, and the Principal were puniſh'd, Part with Death, and Part with Baniſhment. However, the Viceroy gave over the Attempt of introducing the Inquiſition, not ſo much for Fear of a new Tumult, as at the Interceſſion of the Pope and Cardinals, who oppoſed the Inquiſition, as not being ſubject to their Court. And becauſe the *Spaniards* are determined to bring in the

*Hiſt. Con. Trid. l.* 3. *p.* 313, 314. Thuan. *Hiſt. lib.* 3. Paulus Serv. *de Inquiſ. Venet.*

the Inquiſition to *Naples* ſubject to their ſupreme Council, and the Court of *Rome* is equally determined to oppoſe theſe Attempts of the *Spaniards*; hence it is that the Kingdom of *Naples* is to this Day free from this intolerable Yoke: And therefore, if any Matters of Faith are to be judged there, it is done either by the Biſhop, or ſome other Prelate appointed by the Court of *Rome*, who nevertheleſs dares not begin the Affair without Leave firſt obtained from the Viceroy.

## CHAP. XXVII.

### *Of the* INQUISITION *in* SICILY, SARDINIA *and* MILAN.

*lib. 2. t. 2. cap. 11. n. 8.* THE Inquiſition had been long before brought into *Sicily*. *Paramus* gives us a Privilege of King *Alphonſus*, in the Year 1452. in which Mention is made of Friar *Henry Lugardi*, a Predicant of *Palermo*, and Inquiſitor of heretical Pravity in that Kingdom; by which he confirmed the Privilege given to him by the foreſaid Inquiſitor, which *Frederick* the Emperor had granted to the Inquiſition in *Sicily*, at *Palermo*, in the Year 1224. By this Privilege *Frederick* is ſaid to have ordained, *That one third Part only of the confiſcated Goods ſhould be appropriated to the Treaſury; a third Part reſerved to the Apoſtolick See, and the other third, without any Contradiction, aſſigned to the Inquiſitors, that the ſpiritual Husbandman may not be defrauded of his Reward, nor ſo wholſome an Inquiſition come to nothing through want of Neceſſaries to ſupport it.* From whence *Paramus* infers, that the Inquiſition was brought into *Sicily*, *An.* 1224. But this Privilege is liable to juſt Suſpicion, unleſs there be an Error as to the Year. For I have ſhewn before, that the Inquiſitors had no Tribunals granted them any where at that Time; and I ſhall hereafter prove, that the Diſtribution of the forfeited Effects into three Parts, did not take Place till ſeveral Years after. But whatever becomes of this Privilege, 'tis certain that the Inquiſition was eſtabliſh'd in *Sicily*, *An.* 1452. and whether this Privilege of *Frederick* was genuine or forged, it was confirmed by King *Alphonſus*. It was afterwards confirmed by *Ferdinand* and *Elizabeth*, *An.* 1477. at *Seville*, who took the Title of King and Queen of *Sicily*, though *John*, King of *Aragon*, and Father of *Ferdinand*, was yet alive. This Inquiſition the Emperor *Charles* V. favoured with many Privileges; the Patents for which, *Paramus* gives us in a long Catalogue.

In the Year 1535. an Official was ſent by the Inquiſitors, to the Town of St. *Mark*, to apprehend certain Hereticks; but he was aſſaulted by *Matthew Garruba*, and a large Company with him, who killed many of his Attendants, and gave the Official himſelf many Wounds, and left him half dead on the Ground. The Nobles alſo of *Palermo*, and the other Inhabitants of the Kingdom forced the Inquiſitor by Threats, to depart, and made him go on Board

a Ship that was ready to ſail from the Port; and burn'd down the Office of the Inquiſition, with all the Papers in it; ſo that the Inquiſition was interrupted and ſuſpended during the Space of ten whole Years. After this the Emperor, by Decree of his Council, renewed it, *An.* 1543. and ordered it to be reſtored to all its former Privileges, which were confirmed by *Philip* II. *An.* 1546. The Conſequence of this was, that the Nobles, Barons, and moſt illuſtrious Perſons of the Kingdom, who before hated every Thing belonging to the Inquiſition, and the very Name of its Miniſters, now deſired to become its Officials and Familiars; and by their own Liberality cauſed to be built convenient Priſons for the Guilty, which could not be done before by Reaſon of the ſmall Revenues and Returns of the holy Office. When ever there are any Edicts publiſh'd, or Acts of Faith celebrated, they aſſiſt at them in great State, and accompany the Inquiſitors in their Progreſs through the Iſle, entertain them generouſly, and ſecure them from every Inſult; ſo that no Sedition of the People can poſſibly overthrow it. For in the Year 1562. as the Inquiſitor *Horoſius* was publiſhing an Edict of the Faith at *Palermo*, and was hinder'd by the Tumult of the People, the Sedition was eaſily appeas'd by the Appearance of the Nobles and Barons, who were Familiars; ſo that the following Day the Edict was publiſh'd with univerſal Applauſe, and without the leaſt Oppoſition. And when afterwards there aroſe ſome Differences between the Viceroy and ſecular Judges on one Hand, and the Inquiſitors on the other, about their Juriſdiction, *Philip* II. with the Advice of two Counſellors of the Supreme General Council of the Inquiſition, *An.* 1580. confirmed all the Prerogatives of the Inquiſition; and in the Year following decreed, that the Counſellors of the holy Office, and the Familiars thereof, ſhould, in all Cauſes, Civil and Criminal, enjoy the Pre-eminences and Court of the holy Office, as Perſons of the ſame Rank with the Penſionary Officials. After this he commanded the Viceroys, by his Royal Letters, *September* 18, 1587. that they ſhould pay all that Honour and Obſervance to it, which ſo holy a Service was worthy of. But in the Year 1592. Count *Alva*, Viceroy of that Kingdom, declared by a publick Edict, that the Prerogatives of the Nobles, Familiars of the Court of the holy Office, were ſuſpended; and from thence they have had no great Affection for the Inquiſition, nor any longer diſcharge the Function of Familiars.

The ſame Princes brought the Inquiſition into *Majorca*, *Minorca*, and *Sardinia*; but not without ſo great a Tumult of the People, as could hardly be ſuppreſſed. *cap.* 11 & 12.

In the Dutchy of *Milan*, after it had flouriſh'd there for many Years, King *Philip* II. by the Perſuaſion of *Pius* IV. would have formed it after the Model of the *Spaniſh* Inquiſition. [During the Council of *Trent*, *Philip* mov'd *Pius* IV. that the Inquiſition at *Milan* ſhould be under the ſame Regulation as it was in *Spain*, and that he would place at the Head of it a *Spaniſh* Prelate; alledging that in regard of the Nearneſs of the Places infected, it was neceſſary to uſe the moſt exquiſite Diligence for the Service of God and the Defence of Religion. It was ſoon known that the *cap.* 30. *Hiſt. Con. Trid. l.* 8. *p.* 882.

Matter had been debated in a *Conſiſtory*; and that notwithſtanding ſome Cardinals oppoſed it, the Pope ſeemed inclin'd to grant it, at the Inſtance of Cardinal *Carpi*, who aſſured him, that it was neceſſary to keep the City of *Milan* in Devotion towards the Apoſtolick See. This he did from a ſecret Hope, cheriſh'd by the *Spaniſh* Ambaſſador, that by this Means he would ſecure the Favour of the King of *Spain* to make him Pope. Hereupon the Cities of that State, ſent *Sforza Marone* to his Holineſs, *Cæſar Taverna*, and *Principuale Biſoſto* to the Catholick King, and *Sforza Brivio* to the Council of *Trent*. This laſt they commiſſioned to beſeech the Prelates and Cardinals of thoſe Places to have Compaſſion on their Country, which being already render'd miſerable by exceſſive Impoſitions, would be wholly ruined by this which was worſe than all the other; many Citizens already preparing to abandon their Country, well knowing that that Office did not always proceed in *Spain*, to heal the Conſcience, but very often to empty the Purſe; and for other ſecular Ends alſo. And if the Inquiſitors, under the King's own Eyes, do ſo rigidly dominere over their own Countrymen, what will they not do to the Citizens of *Milan*, who are ſo far diſtant from any Remedy, and have a much leſs Intereſt in their Affections. *Brivio* alſo declared at *Trent*, how generally the Citizens were perplexed with this ill News, and beſought the Aſſiſtance of the Prelates. This Relation gave greater Uneaſineſs to the Prelates, who had more to fear from the Inquiſition, than it did to the Seculars. The Prelates alſo of *Naples* were afraid, that if this Yoke were put on the *Milaneze*, they could not keep it off from themſelves, as they had done for ſome Years before. And therefore the Prelates of the *Milaneze* met together, and reſolved to write Letters to the Pope, and Cardinal *Borromeo*, ſubſcribed by them all, ſignifying how great a Prejudice it would be to him, to whom it belonged as Archbiſhop, to preſide in that Office. They put the Pope in Mind, that there were not the ſame Cauſes and Reſpects as there were in *Spain*, to put ſo rigorous an Inquiſition amongſt them; which beſides the evident Ruin it would bring on that State, would be a great Prejudice to the holy See. For that he could not refuſe to eſtabliſh it in *Naples* alſo, which would give Occaſion to other Princes of *Italy* to deſire it in their Dominions; and ſince the Juriſdiction of the Inquiſition extended over the Prelates, the holy See could not expect much Obedience from them, becauſe they would be forced to ſeek the Favour of ſecular Princes, to whom by this Means they would become ſubject: So that if there ſhould be any Occaſion for a new Council, the Pope would find but few of the Prelates faithful to him, and ſubject to his Commands. Neither ought he to believe what the *Spaniards* might poſſibly alledge, that the Inquiſition in *Milan* ſhould be ſubject to that at *Rome*, ſince it appears by Experience, how they proceeded in the Cauſe of the Archbiſhop of *Toledo*, always refuſing to tranſmit the Proceſſes to *Rome*, though it had been often demanded from them, as is practiſed alſo by the Inquiſitors of the Kingdom of *Sicily*, who depend on *Spain*. The Prelates not content with theſe and other Reaſons, alledg'd to the Pope and Cardinals, and others in whom they had any Intereſt at *Rome*, did farther propoſe, that

ſome-

ſomething might be inſerted in the Decrees of the Council in Favour of the Biſhops, either to exempt them from that Juriſdiction, or ſecure them; and that the Manner of forming Proceſſes in that Affair might be determined, which though it could not be accompliſhed in the next Seſſion, might in that immediately following. Cardinal *Morone*, at that Time Preſident of the Council, gave them ſome Hopes of Satisfaction. This Accident gave the Council much Trouble, becauſe of the great Number intereſted in it. In the mean while this Attempt to introduce the Inquiſition was looked on with ſuch Indignation at *Milan*, that the City broke out into an open Sedition; where the univerſal Cry was, that it was inſufferable Tyranny to impoſe on a free City the Yoke of the Inquiſition, which was introduced into *Spain*, to root out the *Moors*, and the wicked Nation of the *Jews*; eſpecially ſince, according to the moſt ancient Practice of the Apoſtolick See, Inquiſitors had been deputed into that Province. Upon this the Duke of *Seſſa*, underſtanding what general Offence it gave, and fearing from ſome Reports which had been brought him, leaſt the Citizens of *Milan* ſhould take Example from the *Low Countries*, who univerſally agreed to take up Arms to ſhake off the Yoke of the Inquiſition, which was endeavoured to be put on them, and knowing it was not a proper Time to preſs this Affair; ſtopped the Ambaſſadors that had been deputed to the King, and promiſed that he would take Care that the Senate ſhould have Satisfaction. And thus ended this Affair.] Param. l. 11. c. 3.

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## CHAP. XXVIII.

### *The Return of the* INQUISITION *into* Germany *and* France, *at the Time of the* REFORMATION.

WHEN *Luther* bravely attempted the Reformation of the Church, and ſeverely cenſured the various and intolerable Abuſes of the Church of *Rome*, perſevering with great Conſtancy in the Work he had undertaken, in Spite of Threatnings, Anathema's, and the Papal Thunders; and whereas *Suinglius*, *Oecolampadius*, and others in *Suiſſerland*, and elſewhere, oppoſed the growing Superſtition, and propagated the Reformation with great Succeſs in many Places and Countries; the Pope, to put a Stop to the Courſe of their Preaching did not only continually ſtir up the Emperor, the Kings and Princes againſt *Luther*, and all who oppoſed the Doctrines of the Church of *Rome*, but reſtored alſo the Inquiſition in many Places, which had grown into Decay in ſeveral Countries, either through the Cruelty of the Inquiſitors, or the Want of Hereticks to proceed againſt, and commanded it to proceed with great Severity and Rigour againſt what they called the new Hereſies. So that now the Authority of the Inquiſitors was encreaſed in *Germany*, and many were condemned for Hereſy by the Sentence of that holy Tribunal, and being delivered over to the ſecular Magiſtrate were burn'd to Death.

From *Germany* that bloody Tribunal was ſoon brought into the neighbouring Kingdom of *France*, where it had drop'd of it ſelf, for want of Hereſies to proceed againſt. *Antonius a Prato*, Presbyter Cardinal, by the Title of St. *Anaſtaſia*, Archbiſhop of *Sens*, Primate and Chancellor of *France*, held a provincial Council, in *February*, 1528. in which, after he had condemned the Doctrine of *Luther*, *Melancton*, *Suinglius*, *Oecolampadius* and their Followers, he publiſh'd a general Decree, by which he declares and renews all the ancient Canons of the Lateran Council againſt Hereticks, their Favourers and Defenders, Perſons ſuſpect of Hereſy, and relapſed, as they are extant in the Decretals, and ſometimes guards them by annexing a Puniſhment. He moreover ordains, *That the Suffragans, if they ſuſpect any Places of Hereſy, ſhall immediately go themſelves, or ſend other fit Perſons, and oblige thoſe of the Neighbourhood, by an Oath, to diſcover ſuch Hereticks, who keep unlawful Conventicles. He alſo ſtrictly commands them, That they ſhould proceed with all Diligence and Care in this Affair, and proceed ſummarily and openly in the Buſineſs of ſuch heretical Pravity. And if they be remiſs or negligent in purging out this Leaven, let them know that they ſhall incur the Puniſhments ordained by the Sacred General Lateran Council. Let them alſo tremble at the Puniſhments publiſhed againſt the Inquiſitors, who offend in their Office, by the Sacred Council of* Vienne. *Let the Suffragans alſo diligently obſerve the Conſtitutions of* Urban V. Clement V. *and* Boniface VIII. He beſeeches moreover the King, *That he would immediately drive out all Hereticks from every Part of his Dominions.* Laſtly, he ordains, *That the Rulers and Conſuls of Cities ſhall take a corporal Oath, according to the Sacred General Lateran Council; that they will, according to their Office, aſſiſt, with all their Might, and lend their helping Hands, faithfully and effectually, to the Church in this Affair of Hereſy, when it ſhall be demanded of them. And whereas the Biſhops and Inquiſitors, whilſt they proceed in this Matter, may poſſibly require Aſſiſtance from ſecular Judges under Excommunication, he declares they ſhall not incur Excommunication by ſo doing.* To theſe Things he adds, in the Concluſion, after having recounted various Errors that had been condemn'd, an Exhortation to Chriſtian Princes, that they ſhould labour to extirpate Hereticks; and ſets before them the Examples of *Conſtantine*, *Valentinian*, *Theodoſius*, and others, who by their vigorous Endeavours againſt Hereticks, found Favour with God, and obtained immortal Honour amongſt Men. And on the other hand, puts them in Mind of *Licinius*, *Julian*, *Valens*, and others, who experienced the Revenges of the Divine Anger, and received the juſt Rewards of their Wickedneſs; becauſe, far from reſiſting heretical Errors, they ſupported and propagated them. *He earneſtly beſeeches and exhorts in the Lord, the Chriſtian Princes, that as they would conſult their Safety, as they would preſerve unhurt their Rights of Sovereignty, and as they deſire to preſerve in Peace and Tranquility the Nations ſubject to them, they would powerfully defend the Catholick Faith, and endeavour to their utmoſt to ſuppreſs the Enemies of it. This will be eaſy, when the antient Edicts of Chriſtian Princes againſt Hereticks, their Books and Favourers, are reſtored. When once theſe are put in Execution with an wholeſome Severity, there*

Bzovius, *a.* 1528. §. 41.

*will be no Remains of Hereticks, none of their Books or Writings in their Provinces. Their miſchievous Sermons will then be at an End, there will be no more clandeſtine Conventicles, in which Hereticks are wont to introduce ſtrange Cuſtoms, abhorrent from Chriſtian Piety. This is what we deſire with all our Soul, and ask in our conſtant Prayers from the Lord, hoping that a Stop will be put to theſe Things, whilſt Chriſtian Princes bravely ſuppreſs Hereticks, and we add our pious Labours to prevent the Wolves from deſtroying the Sheep committed to our Care. And thus at length the Lord will grant us that Peace and Tranquility in this Life, which is ſo much deſired and ſought after by the Faithful, and after this Life ſhall be at an End conſummate Happineſs. But inaſmuch as we know, that it is not ſufficient to anſwer theſe Ends, merely to exhort the Faithful, unleſs the Rebellious are ſuppreſſed by proper Severity, we have decreed to provide a proper Antidote for this purpoſe. And therefore by that Authority with which we are inveſted, we by theſe Writings put under the Sentence of Excommunication, all Perſons whatſoever in our Province, who ſhall preſume raſhly to aſſert, teach or write ſuch impious Tenets, as alſo all ſuch who by any Means ſhall aſſiſt, counſel or favour them.* I cannot certainly affirm whither the Inquiſition, which for many Years had been dropped in *France*, was by Means of this Synod reſtored there. This is certain, that the Laws uſed in the Tribunal of the Inquiſition were renewed by the Decree of this Synod, and that there is expreſs Mention of the Inquiſitors in it; and by other Things it appears that about this Time the Inquiſition was again brought into *France*. For *Francis* I. choſe Inquiſitors of the Faith from the Predicant Friars. For in the Orders of that Prince, *fol.* 408. there is a Writ bearing Date *May* 30, 1536. by which he appoints *Matthew Orry*, D. D. a Predicant Friar, Inquiſitor of the Faith. *Ribadineira* alſo relates in the Life of *Ignatius Loyola*, Book II. Chap. II. and XIV. [and *John Peter Maffeius*, in his Life of the ſame *Loyola*, *l.* 1. *c.* 20. *p.* 315.] that about this Time he was accuſed before *Michael Orry*, a *Dominican* Divine, and Inquiſitor of the Faith at *Paris*, and by him acquitted. There is alſo extant in the ſecond Volume a like Writ of King *Francis*, *fol.* 247. dated *April* 10, 1540. by which Authority is granted to *Joſeph Corregie*, a Doctor of the ſame Order, to execute the Office of Inquiſitor of the Faith throughout the whole Kingdom. In the third Volume, *fol.* 482. there is a royal Statute, bearing Date *July* 23, 1543. by which Power is granted to the Eccleſiaſtical Judges and Inquiſitors of the Faith, to make Inquiſition againſt *Lutherans* and Hereticks, provided that Laicks, and ſuch who had not received holy Orders, ſhould be referred to the ordinary Judges. There is alſo another Statute of *Henry* II. dated at St. *Germain en Laye*, *June* 22, 1550. by which the Edict of *Francis* I. is recalled, and *Matthew Orry*, Inquiſitor of the Faith, delivered from the Trouble of communicating to the ſupreme Courts, the Baillives and Seneſchals, ſuch Actions as he brought againſt Hereticks, provided he communicated them to the ordinary Dioceſans or their Vicars. At the ſame Time that Power was confirmed to him, by which he was authorized to recover to a ſound Mind, either by Inſtruction or Admonition, ſuch as erred from the Faith, of

Du Cange *in voce Inquiſitio.*

grant-

granting Pardon and Mercy to the Penitent, and of punishing and correcting the Obstinate. This Statute was inserted into the Acts of Parliament, with this Condition added, That the said Inquisitors, in all privileged Cases, should share the Process with the Royal Judges. [Father *Paul*, in his History of the Council of *Trent*, *B.* 5. *p.* 484, and 487. mentions *Anthony Demohares*, Inquisitor of the Faith; and *p.* 494. speaks of other Inquisitors in *France*. And *Thuanus*, in his History, *B.* 8. *p.* 377. says, that in the Year 1551. 19th Cal. *Febr.* there was a royal Law rehearsed in the Senate, concerning the Power and Office of *Matthew Orry*, Inquisitor of heretical Pravity.]

How long the Inquisition continued in *France*, and how and when it ended, I can't exactly affirm. I am apt to think, that when Liberty of Religion was granted by the Royal Edicts to Dissenters from the Church of *Rome*, that Tribunal immediately ceased of it self.

## CHAP. XXIX.

### *Six* CARDINALS *appointed at* Rome INQUISITORS *Generals.*

IN *Italy* the Pope took all possible Measures, that the Inquisition should discharge its Office with the greatest Rigour. For when, in the Year 1530. the Vicar General of the Order of preaching Friars, signified to *Clement* VII. that the *Lutheran* Heresy prevailed in *Italy*, to the great Detriment of the Catholick Faith, this Pope published a Bull, beginning, *Cum sicut ex relatione.* And least this Heresy should spread like that of *Arius*, he commanded the Inquisitors to proceed against all, even the Regulars of every Order; but that they should absolve the Penitent, dispense with them upon account of their Irregularity; and grant Indulgences to the Cross-Bearers appointed for the Service of the holy Inquisition. He commands the Bishops, that in this Affair they should favour the Inquisition, any Thing to the contrary notwithstanding.

*Bullarium*

And that the Inquisition might proceed without any Impediment, he appointed a new Council of Cardinals Inquisitors Generals. Before this the Inquisitors were often forced to go to *Rome* to consult the Pope upon more difficult Affairs; and therefore least the Office of the Inquisition should be interrupted by the Absence of the Inquisitors, *Urban* IV. in the Year 1263. created by a Rescript, beginning, *Cupientes*, *John Caetanus Ursinus*, Cardinal of St. *Nicholas in carcere Tulliano*, General and Protector of all the Inquisitors, that there might be no need of their going to the Pope in Matters of Difficulty, but that they might consult the Cardinal by Letters, who was himself to consult with the Pope in all Cases of Importance. Among other Things he thus commands: *Whatever great and dangerous Impediments have arisen in the before mentioned Affair, let them be signified to our beloved Son*, John, *Cardinal Deacon*

Paramus, *l.* 2. *c.* 2. *c.* 1. *n.* 9, 10, 11.

of St. Nicholas in carcere Tulliano, *whom we have appointed to take Care of this Matter. And as to any other Difficulties that may hereafter ariſe, either for want of Aſſiſtants, or from any other Cauſe whatſoever, you may have Recourſe perſonally to the ſaid Cardinal if there be Need, and ſafely conſult him by your Letters or Meſſengers, that we being ſufficiently inſtructed concerning the Premiſſes, may provide ſufficient Remedies againſt theſe Difficulties.* This Cardinal, when raiſed to the Papacy, and called *Nicholas* III. honoured Cardinal *Latinus Romanus*, his Nephew by his Brother, brought up amongſt the Friars Predicants, with the ſame Office of Inquiſitor General. After his Death, in the Time of *Celeſtine* V. the Office was vacant, and ſo continued till the Papacy of *Clement* VI. who conferred it on *William* of *Tholouſe*, Cardinal of St. *Stephen* in Mount *Cælius*. He burnt ſome Hereticks, and did ſeveral Things for the Inquiſition. But becauſe this Dignity was not as yet fixed to the College of Cardinals, nor another primary Inquiſitor immediately created by the Pope upon the Death of the former, as the Neceſſities of the Church of *Rome* required, the Inquiſitors were again involved in the ſame Difficulties as before; eſpecially at the Time when the Doctrine of *Luther*, which had ſpread it ſelf through all *Germany*, began to appear in *Italy* alſo. And therefore the Cardinals *John Peter Caraffa*, and *John Alvarez Toledo*, perſuaded Pope *Paul* III. to confer the Office of Inquiſitor General upon ſome certain Cardinals.

Upon this, in the Year 1542. Pope *Paul* III. by a Conſtitution beginning, *Licet ab initio*, deputed ſix Cardinals, Inquiſitors General of heretical Pravity, in all Chriſtian Nations whatſoever, as well on one Side as the other of the *Alps*; and gave them Authority to proceed without the Ordinaries, againſt all Hereticks, and ſuſpected of Hereſy, and their Accomplices and Abettors, of whatſoever State, Degree, Order, Condition and Pre-eminence, and to puniſh them, and confiſcate their Goods: To depute a Procurator Fiſcal, Notaries, and other Officials, neceſſary to the aforeſaid Affair: To degrade and deliver over to the Secular Court by any Prelate deputed by them, the Secular and Regular Clergy in holy Orders: To curb Oppoſers, to call in the Aſſiſtance of the ſecular Arm, and to do every Thing elſe that ſhould be neceſſary: To ſubſtitute every where Inquiſitors, with the ſame, or a limited Power: To take Cognizance of Appeals from other Inquiſitors to them: To cite, forbid, and abſolve, in the Court, and out of it, ſimply or conditionally, from all Eccleſiaſtical Sentences, Cenſures, and Puniſhments, all that ſhould appeal to them. In this Manner he ordains all Judgments to proceed, and annuls every Thing to the contrary; adding withal a penal Sanction, that if any one ſhall break this Decree, or preſume to dare to contradict it, let him know that he ſhall incur the Indignation of Almighty God, and of St. *Peter* and *Paul* his Apoſtles. Bullar. Bzovius, *a.* 1542. §. 7.

*Pius* IV. afterwards enlarged the Power of theſe Cardinals, general Inquiſitors of heretical Pravity. For in the Year 1564. *April, Id.* 7. by a Conſtitution which begins, *Romanus Pontifex*, he gave them Authority to proceed in a certain Form, againſt all manner of Perſons, whither Biſhops, Bullar. Bzovius, *a.* 1564. §. 15.

Arch-

Archbiſhops, Patriarchs, or Cardinals, that were Hereticks, their Abetters, and ſuſpected of Hereſy, and of referring it to the Pope in a ſecret Conſiſtory, in order to his pronouncing Sentence. In this manner he ordains Judgment to proceed, annuls every Thing to the contrary, and adds the ordinary penal Sanction.

Agreeable hereto in the Year 1563. the Pope commanded the Cardinals Inquiſitors General to proceed at *Rome* againſt *Odettus*. [*Coligni* Cardinal *de Chaſtillion*, St. *Main* Archbiſhop of *Aix*, *John de Muntluc* Biſhop of *Valence*, *John Anthony Caracciolus* Biſhop of *Troyes*, *John Barbanſon* Biſhop of *Apam*, and *Charles Gilaz* Biſhop of *Chartres*;] and at length, in a private Conſiſtory, he pronounced Sentence upon each of them, by which he pronounces, judges and declares them to be Hereticks, Schiſmaticks, Blaſphemers, degraded from all Honour and Profit of the Cardinalate, Archiepiſcopal, or Epiſcopal Power, and Privilege of the Clergy, from the Day of their having committed their Crimes; deprived, and for ever incapable of all Offices, Honours, Dignities and Prelatures, and decrees that they ſhall be lawfully puniſhed as Hereticks, and as unfruitful Branches cut off from the Church, and orders the Faithful of Chriſt to apprehend and detain their Perſons, and deliver them over to the Miniſters of Juſtice, in order to their ſuffering the deſerved Puniſhments. [But the *French* King did not acquieſce in that Sentence. Before the pronouncing of it, the Cardinal of *Lorain* advertiſed the Pope, that the Maxims which prevailed in *France*, were very different from thoſe amongſt the *Romans*. That in this Kingdom it was very ill taken, that the Cauſes of the Biſhops ſhould, in the firſt Inſtance, be judged of at *Rome*. But when the Pope notwithſtanding pronounced Sentence, the King commanded his Ambaſſador *Henry Clutin Oriſelle*, that he ſhould put the Pope in mind of former Examples, and of the Liberties and Immunities of the *Gallican* Church, and of the Authority of the King in Eccleſiaſtical Cauſes, and deſire him, that at preſent he would not be the Author of ſo many Novelties. *Oriſelle* executed his Commiſſion with Diligence and Vigour, and after many Treaties with the Pontiff about it, obtained that the Affair of the Biſhops ſhould be dropped.]

Bzovius, *a.* 1563. §. 3. *Hiſt. Con. Trid. l.* 7. *p.* 808. *l.* 8. *p.* 908, 927.

*Pius* V. that there might be an univerſal Obedience paid to the Decrees of the Cardinals Inquiſitors General, and that none might be able to withdraw from their Authority, commanded the Princes, Judges, and Miniſters of Juſtice, that they ſhould ſubmit to and obey the Commands of theſe Cardinals in Matters relating to the Office of the holy Inquiſition, in a Conſtitution put forth, *Ann.* 1566. which, as being ſhort, I ſhall give entire.

Bullar. *Our moſt holy Lord*, Pius V. *by the Divine Providence, Pope, hath appointed, decreed, ordained and commanded, that Matters of Faith be preferred to all other Things whatſoever, ſince Faith is the Subſtance and Foundation of the Chriſtian Religion; and therefore, that all and every Perſon of this noble City, and its Diſtrict, the Governor, Senator, Vicar, and Auditor of the Apoſtolick Chamber, and all Legates, Vice-Legates, Governors of Provinces and Countries, mediately and im-*

*immediately ſubject to his Holineſs, and the holy* Roman *Church, and their Deputies, the Officials, Bariſells* *, *and other Officers in thoſe Places, and alſo all other Ordinaries of Places, and other Magiſtrates and Officials, and all Perſons of whatſoever State and Condition in all and ſingular Countries, Towns and Cities throughout the whole Chriſtian Commonwealth, do ſubmit to and obey the ſaid Cardinals Inquiſitors, and their Orders and Commands in all Things concerning the holy Office of the Inquiſition, under the Penalty of Excommunication, and the Diſpleaſure of his Holineſs, and of ſuch other Puniſhments as ſhall be inflicted and executed at the Pleaſure of his Holineſs, and the moſt Illuſtrious and moſt Reverend Lords the Cardinals Inquiſitors General.*

*He beſeeches alſo in the Name of God, That the Kings, Dukes, Earls, Barons, and all other ſecular Princes, would favour the ſaid Cardinals Inquiſitors and their Officials, and afford them their Aſſiſtance, and cauſe the ſeveral Magiſtrates ſubject to them, to aid them in all Things concerning the ſaid Office: And that they would without Delay, ſend all Perſons impriſoned for any Crimes, or heinous Offences, if they ſhould be accuſed before the ſaid Office of the Inquiſition, to the ſame Cardinals and Priſons of the Inquiſition, ſuſpending all Proceſs for other leſſer Crimes, that they might be kept therein, till through Cogniſance and Trial ſhould be made of the Crime of Hereſy; and after this to remit them to the civil Officers, to proceed againſt them for other Faults.*

Supported by theſe Conſtitutions and Papal Decrees, the Cardinals Inquiſitors extended their Power more and more. *Paulus Servita*, in his Time, complains, that whereas formerly the Pope ſent his Inquiſitors to the Princes with Apoſtolick Briefs, requiring them to protect and defend them by their Favour, as is even yet done in the Confirmation of a new Biſhop; yet that now the Council of the Inquiſition at *Rome* gave their Inquiſitors ſuch Orders, as tho' they ſent them into their own Dominions and Territories, and will not ſuffer any Contradiction to their Commands. *Hiſt. Inq. cap.* 3.

At length *Sixtus* V. *An.* 1588. by a Conſtitution beginning, *Immenſa Æterni Dei, &c.* appointed 15 Congregations of the Cardinals of the holy *Roman* Church, and aſſigned to each of them their proper Buſineſs. He approves the firſt Congregation held in the City for Inquiſition of heretical Pravity, and confirms their Authority over all Prelates and Inquiſitors, in Matters of Hereſy, whether manifeſt or ſuſpect, and the Privileges of their Miniſters, and exhorts the Princes to ſupport it, but ſo, that no Innovation ſhould be introduced into the Office of the Inquiſition, erected in the Kingdom of *Spain*, without conſulting the Pope.

To theſe Cardinals Inquiſitors General were added, for the quicker Diſpatch and Determination of criminal Cauſes, a Commiſſary General of the holy *Carena. p.* 1. *t.* 2. §. 4, 5, 6, 7.

* *Bariſelli.* I cannot find any particular Account of theſe Officers. *Bariſa* is *genus poculi*, a ſort of a Cup; and *Barillagium* is the Tribute paid for Wine Veſſels; and *Barillarius* is that Officer who had the Care of the Royal Wines. Whither the *Bariſelli* might not be ſome Officers to receive the Cuſtoms, or rather ſome Officers who had the Care of the Royal Proviſion, I am not able to determine.

Office, who is always a *Dominican*, and an Aſſeſſor General. [Beſides theſe there is preſent the Maſter of the ſacred Palace, who alſo always uſed to be of the *Dominican* Order. But becauſe his Power is very large, eſpecially in the Prohibition of Books, it is worth while to deſcribe that Office a little more diſtinctly. The Maſter therefore of the ſacred Palace, when there is a Conſiſtory, ordinarily reads in the Pope's Palace ſomething in Divinity. They ſay this Office was appointed by the Pope at the Advice of *Dominick*. For ſeeing daily, that when the Cardinals were engaged with the Pope, their Clergy and Attendance ſpent their Time in idle Walks and Trifles, he went to the Pope, and ſaid, It was a Shame that thoſe Miniſters, who profeſſed all Virtue, ſhould do ſuch ſcandalous Things, and defile thoſe holy Walls with the moſt unbecoming Scurrilities. That he thought it would be very uſeful, that whilſt the Cardinals were attending him upon the Affairs of the univerſal Church, ſome learned Man ſhould publickly interpret certain Places of the ſacred Scripture. *Honorius* was pleaſed with the Motion, and appointed *Dominick* himſelf to the Office, who had adviſed it. So that *Dominick* himſelf was the firſt Maſter of the holy Palace, and it was appointed that ſome Body ſhould be always choſen to that Office out of the Predicant Order, and called Maſter of the ſacred Palace; and he hath theſe Prerogatives. *Firſt*, That he always dwells in the very Apoſtolick Palace, with his Attendance and Houſhold, and hath a Salary for his Support aſſigned him by the Popes. *Secondly*, He ſits in the Pope's Chapel near his Holineſs's Feet, and preceeds all the Divines and Maſters in Place, Advice and Reſolution. *Thirdly*, Without his Licence no Book can be printed at *Rome*; nor any Oration or Sermon pronounced before the Pope, without his Reviſing and Approbation. *Fourthly*, In all Conferences and Diſputations, his Definition, Reſolution and Sentence prevails, and no one can reply after him. *Laſtly*, He is always preſent in the Congregation of the moſt holy Inquiſition, with the Pope and Cardinals. He hath alſo the Title of the moſt Reverend, and is the firſt of the Predicant Order, after the Maſter General; and to conclude, he is choſen into the Office by the Election and Nomination of the Pope, and not by Vote.

*Des Loix ante Spec. Inq. c. 2, 3.*

Theſe ſupreme Inquiſitors have alſo an Advocate Fiſcal, ſeveral Counſellors, Prelates and Regulars, *viz.* the General of the *Dominican* Order, and the Aſſiſtant of the Commiſſary of the holy Office; as alſo one of the Religious of the *Franciſcan* Order. They have alſo ſeveral Qualificator Divines, who qualify Propoſitions in any Caſes that occur.] Whatever the Majority of the Cardinals decree, *Pius* IV. by a Conſtitution beginning, *Cum nos per noſtrum, &c.* ordered ſhould be looked on as the Decree of the whole Congregation; yea, that what the major Part of the Inquiſitors preſent ſhould appoint, ſhould be eſteemed as done by all, though ſome were abſent; that by the abſent Cardinals were to be underſtood not ſuch as were abſent from *Rome*, becauſe it might be very difficult to know this, but ſuch Cardinals as were abſent from this Congregation.

§. 14. Theſe ſupreme Inquiſitors meet twice a Week, *viz.* on *Wedneſdays* formerly in the Houſe of the oldeſt Cardinal ſupreme Inquiſitor, but now in St.

St. *Mary*'s Church, *supra Minervam*, except the Pope commands otherwiſe; and on *Thurſdays* in the Preſence of the Pope. Theſe Congregations are held every Week, excepting only the holy Week, which preceeds *Eaſter*. [However *John de Loix* relates, that there are held three Congregations of the holy Office every Week. *Speculum Inq. Bizant* p. 92.

The firſt is on *Monday*, in the Houſe of the holy Office, in which the Commiſſary General of the Inquiſition, who is always a Predicant, and his Attendants dwell. Here are preſent the Counſellors of the holy Inquiſition, the Fiſcal, and other Officials, where the Proceſſes, Votes and Sentences of all of them are reported and regiſtred. The Maſter General of the Predicants takes here the firſt Place, the next the Maſter of the holy Palace, who is always a *Dominican*, out of Reſpect to St. *Dominick*, the Author and firſt Maſter of this Office; then two or three Layers, next the Vicar General of the Predicants in the Abſence of the General, next the Commiſſary General of the holy Office, who is always a Predicant; next the Aſſeſſor of the holy Office; next the Procurator General of the collegiate Friars Minors; next the Provincial Inquiſitors, when they are at *Rome*; next the Aſſiſtant of the Commiſſary General; next the Abbreviator of the Proceſſes; next the Fiſcal. We muſt remark here, that the Maſter General of the Predicants, and the Maſter of the ſacred Palace, are alſo Counſellors to the Inquiſition, for this Reaſon, becauſe they are promoted to their ſeveral Offices.

The ſecond Congregation is held on *Wedneſday*, when the Cardinals meet in the Houſe of the oldeſt, or the Dean of the Congregation, who have deciſive Votes; although regularly they confirm what hath been determined on *Mondays* by the Counſellors and Commiſſary.

The third Congregation is always held on *Thurſday* in the Preſence of the Pope, nor is it ever omitted, except on *Thurſday* in the Feſtival Week of the holy Sacrament, and ſometimes in the Feſtival of *Corpus Chriſti*. In this Congregation his Holineſs decides or confirms the Votes of the Counſellors and Cardinals. The Cardinals only ſit, all others ſtanding. The Pope makes a Prayer when the Congregation comes in, as the oldeſt Cardinal doth on *Wedneſdays*, and the firſt Counſellor on *Mondays*. The Provincial Inquiſitors, who ſupport their Authority, tranſmit by Letter their Difficulties to theſe Cardinals.]

Theſe Things, ſays *Paramus*, *l.* 2. *t.* 2. *c.* 1. *n.* 13. were not thus ordered in the Beginning. For at the firſt the other Cardinals, the Pope's Vicar, and the Maſter of the ſacred Palace, were joined with Cardinal *Caraffa*, and managed the Affairs of the Inquiſition. But afterwards when *Caraffa* was elected Pope on *May*, Cal. 5. 1556. the aforeſaid Congregations were held on certain Days in his Preſence; which Cuſtom continued in the Reign of *Pius* V. *Gregory* XIII. and *Sixtus* V. but was diſuſed in the Time of *Pius* IV. who being taken up with Affairs of very great Conſequence, could not be preſent with that Congregation.

In the mean while, as the Popes were conferring all this Authority on the Inquiſition, and the ſupreme Council of the Inquiſition by their Bulls, ſeveral Books were publiſhed at *Rome* for the Inſtruction of the Inquiſitors. *An.* 1584.

there was printed at *Rome the Formulary of the Inquiſition*, and the ſame Year, *the Light of the Inquiſition*, by Friar *Bernard* of *Como*, with Annotations, by *Francis Pegna*. In the Year following came out *the Directory of the Inquiſitors*, by *Nicholas Eymerick* of the Friars Predicants, Inquiſitor General of *Aragon*, with the Commentaries of *Pegna*. To this were ſubjoined the Bulls and Reſcripts of the Popes to the Inquiſitors and others concerning Matters of Faith, by the Command of the Cardinals Inquiſitors General throughout the whole Chriſtian World.

## CHAP. XXX.

### *Of the* INQUISITION *in* Spain *againſt* HERETICKS.

THE Tribunal of the Inquiſition in *Spain*, at firſt erected to diſcover *Jews* and *Moors*, now began to proceed againſt Hereticks, and exerciſed the ſame Cruelty againſt theſe, as they had hitherto againſt the others. *Charles* V. King of *Spain*, who with great Difficulty had brought the Inquiſition into the *Netherlands* againſt the *Lutherans* and *Reformed*, recommended it to his Son *Philip* in his Will. We have the Clauſe of the Will given us by *Cæſar Carena*, from *Lewis Paramus*, in his Treatiſe of the Office of the moſt holy Inquiſition, *Prælud.* §. 62. in which the Emperor thus ſpeaks: *Out of Regard to my Duty to Almighty God, and from my great Affection to the moſt ſerene Prince* Philip II. *my deareſt Son, and from the ſtrong and earneſt Deſire I have, that he may be ſafe under the Protection of Virtue, rather than the Greatneſs of his Riches, I charge him with the greateſt Affection of Soul, that he take eſpecial Care of all Things relating to the Honour and Glory of God, as becomes the moſt Catholick King, and a Prince zealous for the divine Commands; and that he be always obedient to the Commands of our holy Mother the Church. And, amongſt other Things, this I principally and moſt ardently recommend to him, highly to honour and conſtantly ſupport the Office of the holy Inquiſition, as conſtituted by God againſt heretical Pravity, with its Miniſters and Officials, becauſe by this ſingle Remedy the moſt grievous Offences againſt God can be remedied. Alſo I command him, that he would be careful to preſerve to all Churches and eccleſiaſtical Perſons their Immunities.* And again in his Codicil to his Will he thus enjoins his Son. *I ardently deſire, and with the greateſt poſſible Earneſtneſs beſeech him, and command him by his Regards to me his moſt affectionate Father, that in this Matter, in which the Welfare of all* Spain *is concerned, he be moſt zealouſly careful, to puniſh all infected with Hereſy with the Severity due to their Crimes, and that to this Intent, he confer the greateſt Honours on the Office of the holy Inquiſition, by the Care of which the Catholick Faith will be encreaſed in his Kingdoms, and the Chriſtian Religion preſerved.*

*Philip* gave full Proof of his Zeal to execute his Father's Commands. For as *Famianus Strada* teſtifies of him, when he was requeſted by many to grant

*De Bel. Bel. Dec.* 1. *l.* 3.

Liberty

Liberty of Religion in the *Low Countries*, he proſtrated himſelf before a Crucifix, and uttered theſe Words: *I beſeech the Divine Majeſty, that I may always continue in this Mind; that I may never ſuffer my ſelf to be, or to be called the Lord of thoſe any where, who deny Thee the Lord.* Nor is this any Wonder: For the Popiſh Divines endeavour'd to perſuade the King of *Spain*, that the Inquiſition was the only Security of their Kingdom. Thus *Leonardus Vellius*, a Divine of the Jeſuits College at *Cremona*, teſtifies in his Letter to *Cæſar Carena*, prefixed to his Treatiſe of the Office of the moſt holy Inquiſition, where he ſays: *Since the Kings of* Spain *came to that Government, which now almoſt extends over the World, we read of no Sect profeſſing it ſelf an Enemy to the Pope, and the Catholick Religion, which did not at the ſame Time declare War againſt them. So that the Catholick Kings, and the Catholick Religion, have one common Intereſt and Cauſe. And if Pope* Paul V. *uſed to acknowledge, that by Means of the Inquiſition, the Pontiffs preſerved their Triple Crown; I doubt not but that the wiſeſt Kings have been taught by long Experience, that the Hereticks are dangerous Enemies to the* Auſtrian *Power, and are abundantly perſuaded, that their Sceptre and Kingdom can only be ſupported by the Miniſters of that ſacred Office.* No one can wonder, that under this Perſuaſion the *Spaniſh* Kings have been violent Promoters of the Inquiſition; and that they have inflicted the moſt cruel Puniſhments upon the miſerable Hereticks. *Philip* II. not only in the *Low Countries*, but alſo in *Spain*, ſhew'd himſelf the Patron of it; and that the moſt outragious Cruelty was acceptable to him. He gave ſome horrid Specimens of it in the Year 1559. in two Cities of *Spain*, when he came thither from the *Low Countries*: " Immediately on his Arrival, as *Thuanus* relates, he began to " chaſtiſe the Sectaries. And whereas before this, one or more, juſt as it " happen'd, were deliver'd to the Executioner, after Condemnation for He- " reſy, all that were condemned throughout the whole Kingdom, were kept " againſt his coming, and carried together to *Seville*, and *Valladolid*, where " they were brought forth in publick Pomp to their Puniſhment. The firſt " Act of Faith was at *Seville*, the 8th of the Calends of *October*; in which " *John Pontius* of *Leon*, Son of *Rhoderick Pontius*, Earl of *Villalon*, was led " before the others, as in Triumph, and burn'd for an obſtinate heretical " *Lutheran*. *John Conſalvus*, a Preacher, as he had been his Companion in " Life, was forced to bear him Company in his Death; after whom follow- " ed *Iſabella Vænia*, *Maria Viroeſia*, *Cornelia*, and *Boborquia*; a Spectacle full " of Pity and Indignation, which was encreas'd, becauſe *Boborquia*, the " youngeſt of all of them, being ſcarce twenty, ſuffer'd Death with the " greateſt Conſtancy. And becauſe the heretical Aſſemblies had pray'd in " the Houſe of *Vænia*, it was concluded in her Sentence, and order'd to be " levelled with the Ground. After theſe came forth *Ferdinand a Fano Johan-* " *nis*, and *Julian Ferdinand*, commonly called the *Little*, from his ſmall Sta- " ture, and *John* of *Leon*, who had been a Shoemaker at *Mexico* in *New* " *Spain*, and was afterwards admitted into the College of St. *Iſadore*, in which " his Companions ſtudied, as they boaſted, the purer Doctrine privately. " Their Number was encreas'd by *Frances Chaveſia*, a Nun of the Convent " of

*Hiſt. Con. Trid. l. 5. p. 486.*

" of St. *Elizabeth*, who had been inſtructed by *John Ægidius*, a Preacher at *Se-*
" *ville*, and ſuffer'd Death with great Conſtancy. From the ſame School came
" out *Chriſtopher Loſada*, a Phyſician, and *Chriſtopher Arellianus*, a Monk of St.
" *Iſidore*, and *Garſias Arias*, who firſt kindled thoſe Sparks of the ſame Religion
" amongſt the Friars of St. *Iſidore*, by his conſtant Admonitions and Sermons, by
" which the great Pile was afterwards ſet on Fire, and the Convent it ſelf, and
" good Part of that moſt opulent City was almoſt conſumed. He was a Man of
" uncommon Learning, but of an inconſtant wavering Temper; and being ex-
" ceeding ſubtle in diſputing, he refuted the very Doctrines he had perſuaded
" his Followers to receive, tho' he brought them into Danger on that Account
" from the Inquiſitors. Having by theſe Arts expoſed many, whom he had
" deceived, to evident Hazard, and render'd himſelf guilty of the deteſtible
" Crime of breach of Faith; he was admoniſhed by *John Ægidius*, *Conſtantine*
" *Pontius*, and *Varquius*, that he had not dealt ſincerely with his Friends, and
" thoſe who were in the ſame Sentiments with himſelf; to which he replied,
" That he foreſaw, that in a little Time, they would be forc'd to behold the
" Bulls brought forth for a lofty Spectacle; meaning thereby the Theatre of
" the Inquiſitors. *Conſtantine* anſwer'd, You, if it pleaſe God, ſhall not behold
" the Games from on high, but be your ſelf amongſt the Combatants. Nor
" was *Conſtantine* deceived in his Prediction. For afterwards *Arias* was called
" on; and whether Age had made him bolder, or whether by a ſuddain Al-
" teration his Timorouſneſs changed into Courage, he ſeverely rebuked the
" Aſſeſſors of the Inquiſitory Tribunal, affirming they were more fit for the
" vile Office of Mule Keepers, than impudently to take upon themſelves to
" judge concerning the Faith, which they were ſcandalouſly ignorant of. He
" farther declared, That he bitterly repented, that he had knowingly and wil-
" lingly oppoſed, in their Preſence, that Truth he now maintained, againſt
" the pious Defenders of it, and that from his Soul he ſhould repent of it whilſt
" he liv'd. So at laſt being led in Triumph, he was burn'd alive, and con-
" firmed *Conſtantine*'s Prophecy. There remained *Ægidius* and *Conſtantine*, who
" cloſed the Scene, but Death prevented their being alive at the Shew. *Ægidius*
" having been deſigned by the Emperor, *Philip*'s Father, for Biſhop of *Droſſen*,
" upon the Fame of his Piety and Learning, being ſummoned, publickly re-
" canted his Error, wrought on either by Craft, or the Perſuaſion of *Sotus*,
" a *Dominican*; and hereupon was ſuſpended for a while from preaching, and
" the ſacred Office, and died ſome Time before this Act. The Inquiſitors
" thought he had been too gently dealt with, and therefore proceeded againſt
" his Body, and condemned him dead to Death, and placed his Effigies in
" Straw on high for a Spectacle. *Conſtantine*, who had been a long while the
" Emperor's Confeſſor, and had always accompanied him in his Retirement,
" after his Abdication from his Empire and Kingdoms, and was preſent with
" him at his Death, was brought before this Tribunal, and died a little before
" the Act, in a naſty Priſon. But that the Theatre might not want him, his
" Effigies was carried about in a preaching Poſture. And thus this Shew,
" terrible in it ſelf, which drew Tears from moſt who were preſent; when

" theſe Images were brought on the Scene, excited Laughter in many, and " at length Indignation. They proceeded with the ſame Severity the follow- " ing *October*, at *Valladolid*, againſt others condemned for the ſame Crime, " where King *Philip* himſelf being preſent, twenty eight of the chief Nobi- " lity of the Country were tied to Stakes and burn'd." *Bartholomew Caranza*, Archbiſhop of *Toledo*, was alſo accuſed; who for his Learning, Probity of Life, and moſt holy Converſation, was highly worthy of that Dignity, and caſt into Priſon, and ſtripp'd of all his large Revenues. His Cauſe was brought before *Pius* V. at *Rome*, and *Gregory* XIII. pronounced Sentence in it. Bzovius, *a.* 1559. §. 85.

*Philip*, not content to exerciſe his Cruelty by Land, eſtabliſhed the Inquiſition alſo in the Ships. For in the Year 1571. a large Fleet was drawn together under the Command of *John* of *Auſtria*, and manned with Soldiers liſted out of various Nations. King *Philip*, to prevent any Corruption of the Faith, by ſuch a Mixture of various Nations and Religions, after having conſulted Pope *Pius* V. deputed one of the Inquiſitors of *Spain*, fixed on by the Inquiſitor General, to diſcharge the Office of Inquiſitor; giving him Power to preſide in all Tribunals, and to celebrate Acts of Faith, in all Places and Cities they ſailed to. This Erection of the Inquiſition by Sea, *Pius* V. confirmed by a Bull ſent to the General Inquiſitor of *Spain*, beginning, Our late moſt dear Son in Chriſt. *Jerome Manrique* exerciſed the Juriſdiction granted him, and held a publick Act of Faith in the City of *Meſſina*, in which many underwent divers Puniſhments. Paramus. *l.* 2. *tit.* 2. *cap.* 14.

He alſo eſtabliſhed it beyond *Europe*, not only in the *Canary* Iſlands, but in the new World of *America*; conſtituting two Tribunals of it, one in the City of *Lima*, in the Province of *Peru*; the other in the Province and City of *Mexico*. The Inquiſition at *Mexico* was erected in the Year 1571. and in a ſhort Space gave large Proofs of its Cruelty. *Paramus* relates, that in the Year 1574. the third after its Erection, the firſt Act of Faith was celebrated with a new and admirable Pomp, in the Marquiſſes Market Place, where they built a large Theatre, which covered almoſt the whole *Area* of the Market Place, and was cloſe to the great Church, where were preſent, the Viceroy, the Senate, the Chapter, and the Religious. The Viceroy, the Senate, and a vaſt Number of others, went with a large Guard, in ſolemn Proceſſion, to the Market Place, where were about eighty Penitents; and the Act laſted from ſix in the Morning to five in the Evening. Two Hereticks, one an *Engliſhman*, the other a *Frenchman*, were releaſed. Some for Judaiſing, ſome for Polygamy, and others for Sorceries, were reconciled. The Solemnity of this Act was ſuch, that they who had ſeen that ſtately one at *Valladolid*, held in the Year 1559. declared, That this was nothing inferior to it in Majeſty, excepting only that they wanted thoſe royal Perſonages here, which were preſent there. From this Time they celebrated yearly ſolemn Acts of the Faith, where they brought *Portugueſe Jews*, Perſons guilty of inceſtuous and wicked Marriages, and many convicted of Sorcery and Witchcraft. *cap.* 21.

CHAP.

## CHAP. XXXI.

### *Of the* INQUISITION *in the* Low Countries.

THE Inquiſition was introduced into the *Low Countries* in the Year 1522. and *Francis Hulſtus*, and *Nicolas Egmondanus*, a *Carmelite* Friar, were appointed Inquiſitors, of whom *Eraſmus* thus writes to *John Carondilet*, Archbiſhop of *Palermo*, in the Year 1524. *And now the Sword is given to two violent Haters of good Learning*, Hulſtus, *and* Egmondanus, *&c. If they have a Spite againſt any Man, they throw him into Priſon; here the Matter is tranſacted between a few, and the Innocent ſuffers barbarous Uſage, that they may not loſe any Thing of their Authority; and when they find they have done entirely wrong, they cry out, We muſt take Care of the Faith.* In the ſame Year he writes to *Bilibaldus Pirkheimerus*. *There* (*viz.* in the Country of *Eraſmus*) *reigns* Egmondanus, *a furious Perſon, armed with the Sword, who hates me twice more than he doth* Luther: *His Collegue is* Francis Hulſt, *a great Enemy of Learning. They firſt throw Men into Priſon, and then ſeek out for Crimes to accuſe them of. Theſe Things the Emperor is ignorant of, though it would be worth his while to know them.* A great many were miſerably uſed, and barbarouſly ſlain through their Cruelty.

*Epiſt. lib.* 31.

*Epiſt. lib.* 30.

But in the Year 1549. *Charles*, created Emperor, endeavour'd to bring the Inquiſition more openly into the *Netherlands*, after the Manner of that in *Spain*, by an Edict againſt Hereſy and Hereticks; in which he commands all who had the Adminiſtration of Juſtice, and their Officials, when required by the Inquiſitors, and at the joint Requeſt of the Ordinaries or Biſhops, to proceed againſt any one in the Affair of Hereſy, to give them their utmoſt Aſſiſtance and Countenance, and to help them in the Execution of their Office, and in apprehending and detaining thoſe, whom they ſhould diſcover to be infected with heretical Pravity, according to the Inſtructions which the aforeſaid Inquiſitors had received from him. In the Concluſion 'tis added, that they ſhould proceed againſt Tranſgreſſors by Execution, whatever Privileges had been before granted contrary to this Decree. This Edict occaſioned great Diſturbances, eſpecially at *Antwerp*, where when it was known for certain, and that is was ſoon to be publiſh'd, a great Number of Merchants determin'd to go into other Places. As this would occaſion great Loſs to the City, and ruin their Trade, the Magiſtrates called together the chief Merchants, and Citizens, and enquired what Loſs the City had already ſuſtained through Fear of the Inquiſition, and what farther Damage it might ſuffer if the Inquiſition ſhould be actually introduced. This was fairly drawn out in Writing; and the Magiſtrates preſented it to Queen *Mary*, Siſter of *Charles* V. then Governeſs of the *Netherlands*, and largely ſhewed, by many Arguments taken from the Edict, the Inſtructions of the Inquiſitors, and the Privileges of *Brabant*, how many Evils threatned the City and the whole Country;

Weſenbec. *de ſtat. rel. in* Belg. p. 20.

Country; and beſought her that ſhe would intercede with the Emperor, her Brother, that ſo rich and flouriſhing a City might not be ruin'd by the Inquiſition, from which, as well as from all Eccleſiaſtical Juriſdiction, it had hitherto been free, and ought ever to remain ſo according to their Privileges. The ſeveral Orders of *Brabant* join'd themſelves to the *Antwerpians*, and by their Reaſons and Prayers, the Queen was ſo moved, that ſhe went to her Brother at *Augsburg*, and obtain'd another Edict, allowing the Eccleſiaſtical Judges a Power of demanding ſome Perſon from the ſupreme Courts of the Emperor, to be join'd with them, when they proceeded againſt any one for the Crime of Hereſy. As to the reſt of the former Decree, there was no Abatement. It was received with great Difficulty and Reluctance, and publiſhed at *Antwerp* with this Proteſtation, That this Edict ſhould derogate nothing from their Privileges and Statutes.

But notwithſtanding this Declaration of the Magiſtrates, the Inhabitants could not be eaſy, ſuch was their Dread of the Cruelty of the Inquiſitors; eſpecially becauſe they ſaw, that thoſe who were privately commiſſioned by the Pope and the Emperor to be Inquiſitors, acted as ſuch themſelves, as well as by their Commiſſaries, in ſeveral Provinces and Cities. For ſeveral were condemn'd for Hereſy by them, in many Cities, and either beheaded, hanged, or burn'd, or tied up in Sacks and drowned. The States, in vain, humbly beſought the King to be delivered from ſo grievous a Bondage. He was deaf to all their Prayers, and determined to loſe his Dominions, rather than ſuffer them to be infected with Hereſy. This occaſioned ſtill greater Diſturbances; and as the Cruelty of the Inquiſitors every Day encreaſed, they broke out at length into an open Revolt. The common People threw down the Images from the Temples, and committed other Violences; on which the King, that he might have ſome Shew of Juſtice to conquer the *Low Countries*, and make Laws according to his abſolute Will, demanded the Judgment of the ſupreme Office of the Inquiſition in *Spain*, concerning theſe Revolters. After they had ſeen the ſeveral Informations and Proofs tranſmitted to them by the inferior Inquiſitors; they declared all the Inhabitants of the *Low Countries*, thoſe only excepted whoſe Names were ſent to them, Hereticks and Favourers of Hereticks, and guilty of High Treaſon, either for what they had done, or omitted to do. The King having received this Anſwer, ſent the Duke of *Alva*, with a great Army into the *Netherlands*; who, as he was a cruel and bloody Man, enter'd the Country with his Forces, and meeting no Reſiſtance, acted every where with the moſt outragious Fury. One might have ſeen throughout all their Cities, old Men and young, Women and Girls, without any Diſtinction of Dignity, Age or Sex, ſuffering by the Sword, Gallows, Fire, and other Puniſhments; till at length the miſerable Nation, warmed with the Remembrance of their former Freedom, took Courage and Arms; and after they had recovered their Liberty, drove out the Inquiſition from the whole Country.

*FINIS LIBRI PRIMI.*

# THE HISTORY OF THE INQUISITION.

## BOOK II.

### CHAP. I.

### *Of the* MINISTERS *of the* INQUISITION *in General.*

THUS far we have deſcribed the Original of the Inquiſition, and its Propagation into ſeveral Kingdoms and Countries. There are three Things yet remaining to be treated of. *Firſt*, The Miniſters of the Inquiſition, as well the Inquiſitors themſelves, as others who ſerve them in the holy Office, together with their Duties and Offices. *Secondly*, The Crimes ſubject to the Cognizance of this Tribunal; by what ways Guilt may be contracted; and what Puniſhments are annexed to the ſeveral Offences. *Thirdly*, What is the Manner of Proceſs obſerved before the Tribunal of the Inquiſition. Theſe ſhall be diſpatch'd in three ſeveral Books.

As to the firſt of theſe we need not repeat what hath been already ſaid in the former Book concerning the Cardinals, Inquiſitors General in all Chriſtian Countries, and of the ſupreme Council of the Inquiſition in the Kingdoms of *Spain* and *Portugal*. I ſhall ſpeak only of the Inquiſitors and thoſe who ſerve them. For although the Erection of thoſe Councils hath introduced no ſmall Change in the Office of the Inquiſition, yet it reſpects rather the Manner of Proceſs, than the Officers of the Inquiſition; which therefore I ſhall afterwards endeavour to explain according to the beſt Aſſiſtance I can gather from thoſe Authors who have written of the Affair.

The Offices in the *Spaniſh* and *Portugal* Inquiſition are ſomewhat different from what they were anciently, and from thoſe of the *Italian* Inquiſition to

this Day. And becauſe theſe two Inquiſitions are now the principal and moſt famous ones, wherein they differ from other Inquiſitions, I ſhall carefully deſcribe, and give an Account of the ſeveral Offices in them, as they are delivered by the *Spaniſh* Doctors.

*Simancas* gives us this Account of the Miniſters of the *Spaniſh* Inquiſition. *De Cathol. Inſt. tit. 41. §. 3.*
" In every Province of *Spain* there ought to be two or three Inquiſitors, one " Judge of the forfeited Effects, one Executor, three Notaries, two for " Secrecy, and the third for Sequeſtrations, one Keeper of the Priſon, one " Meſſenger, one Door-keper, and one Phyſician. Beſides theſe, Aſſeſſors, " skilful Counſellors, Familiars and others are neceſſary." In *Italy* they call them Croſs-bearers, of pretty near the ſame Office with the *Spaniſh* Familiars. Beſides theſe, there is a Promoter Fiſcal, a Receiver of the forfeited Effects; and finally, Viſitors of the Inquiſitors. Of theſe in their Order.

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## CHAP. II.

### *Of the* INQUISITORS.

IN the Church of *Rome* there are two Sorts of Judges in the Affair of the Faith: The Ordinaries, ſuch as the Pope, and Biſhops of Places, who when ordained or conſecrated, are believ'd to receive, by divine Right, Power and Juriſdiction over Hereticks: And Delegates, to whom the Office of judging Hereticks is particularly given by the Pope, who are called Inquiſitors by the Laws. Apoſtolick Inquiſitors are therefore Judges delegated by the Pope, who is believed to be the ſupreme Judge of the Faith, who grants them full Juriſdiction againſt all Hereticks and Apoſtates. And they are delegated for all Cauſes. Eymeric. *Direct. p. 3. q. 1.*

No one can be thus deputed to this Office who is not forty Years old. *We ordain by the Approbation of this holy Council, that no Perſon under forty Years old, ſhall from this Time be admitted to the Office of the Inquiſition.* But becauſe Knowledge and Prudence ſometimes ſupply the Defect of Age, 'tis determined by a general Decree of the Pope, that a Perſon of thirty Years old may be Apoſtolick Inquiſitor in *Spain* and *Portugal.* Even in this Age the Congregation of Cardinals created *Baptiſta Martinengo*, Inquiſitor at *Cremona*, who was very little above thirty. 'Tis alſo the Cuſtom to chuſe Inquiſitors for Cities, not out of the Citizens, but from Foreigners. Clement, *cap. Nolentes. de hæret.* Carena, *p. 1. t. 5. n. 18. q. 3.*

Theſe Inquiſitors receive Power to execute this Office from the Pope, who ſometimes immediately appoints them by Word of Mouth, ſometimes by his Apoſtolick Letters. Thus in the Letters of *Clement*, beginning, *Licet ex omnibus mundi partibus*, written to the Inquiſitors; we read, *That the Office of the Inquiſition againſt Hereticks may be more effectually diſcharged, we command your*

*Diſcretion by our Apoſtolick Writings, enjoining you, by the Remiſſion of your Sins, to execute the aforeſaid Office, which we commit to you by our Apoſtolick Authority, in the Love of God, and without any Fears of Men, putting on the Spirit of Strength from on high.* Sometimes he commits it to a Cardinal or Legate.

Heretofore the Pope ordinarily granted it to the Maſter, and Provincial Priors of the Predicants; to the General and Provincials of the Minorites, that they ſhould take Care to provide Inquiſitors of the Friars of their Order, for the Places aſſigned to them, as we find it in their Privileges, and as appears from many Reſcripts of the Popes, particularly *Innocent*, *Clement* and *Alexander* IV. which begin, *Licet ex omnibus. We firmly charge and command your Diſcretion, by theſe Apoſtolick Writings, that with the Advice of ſome diſcreet Friars of your Order, you chuſe eight of the ſaid Order, fit for your Province, to perform this Work of the Lord; and that you ſtrictly charge them, in Virtue of their holy Obedience, by the Apoſtolick Authority, that they execute the Office of the Inquiſition*, &c. And they give this Reaſon, becauſe they are preſumed to have greater Knowledge of their own Friars, and can therefore more eaſily judge who are the moſt proper to be advanced to ſo high an Office. But at this Time the Apoſtolick Inquiſitors throughout *Italy* are not choſen by the Prelates of the aforeſaid Orders, but either immediately by the Pope, or by a Brief, as the Inquiſior at *Milan* and *Genoua* are choſen; or by Letters Patents from the Cardinals, Inquiſitors General over the whole Chriſtian World. In *Spain* the Preſident of the Inquiſition appoints the Inquiſitors.

§. 9. And as the Power of the Inquiſitor depends on the Pope, ſo no one can be removed from this Office, but by the Pope alone, and thoſe to whom his Holineſs commits this Power. Formerly he granted the Power to the General and Provincial Maſters of the Orders, as appears from theſe Letters of *Innocent.*

Bzovius, *a.* 1245. §. 12. *n.* 10. Innocent, *Biſhop, Servant of the Servants of God, to our venerable Brother* John, *Biſhop, formerly Maſter of* Boſino, *and to our beloved Sons the Friars of the Order of Predicants, Health and Apoſtolick Benediction. Being continually refreſhed with the ſweet Savour of your Order, we deſervedly bear an eſpecial Favour towards it, with full Deſire wiſhing its Advancement, and endeavouring with our moſt diligent Care to procure for it Peace and other Bleſſings, by which it may obtain through the Lord the deſired Encreaſe. For this Reaſon we have yielded to your Requeſt, that you, Brother* John, *Biſhop and Maſter, and your Succeſſors, the Friars of your Order, who are or ſhall be deputed by the Apoſtolick See to preach the Croſs, or to inquire againſt heretical Pravity, or any other ſuch Affairs, may lawfully and freely ſet aſide, or recall, quite remove and enjoin them to forbear, and ſubſtitute others in their Room, as ſhall ſeem expedient to you, and exerciſe the Eccleſiaſtical Cenſure againſt all Contraveners. And by Authority of theſe preſent, we grant, that every Provincial Prior of the ſame Order may act in like Manner in his Province, as to the Friars of the ſaid Order, to whom this Affair may happen to be committed by the ſame See. Dated at* Lyons, June *Id. 5. and third of our Pontificate.*

But now the Cardinals, Inquiſitors General in Chriſtendom, remove and change, and tranſlate them from one Place to another, as they think convenient.

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The Popes were greatly desirous that this Office should be free from all Obstruction; and therefore, as one very obvious Difficulty might arise from the Prelates of the several Religions, if such as were created regular Inquisitors should be forced to obey their Prelates in their Office, therefore the Popes exempted them as to this Affair from their Jurisdiction, as appears from a Bull of *Clement* IV. beginning *Catholicæ Fidei. Although the Master and Minister Generals, and other Priors and Provincials, and the Keepers or Guardians of any Places of your Orders, under pretence of any Privileges or Indulgences of the same See, granted, or hereafter to be granted to the said Orders, shall enjoin, or any ways command you, or any one or more of you, to supersede this Affair for a Time, or as to any certain Articles or Persons; we strictly prohibit all and singular of you, by our Apostolick Authority, from presuming to obey, or in any manner to regard them in this Matter. For by the Tenor of these present, we recall all such Privileges and Indulgences relating to this Article, and decree that all Sentences of Excommunication, Interdict and Suspension, that may be pronounced against you, or any of you upon this Occasion, shall be altogether null and void.* So that in the Office of the Inquisition they are by no Means subject to their Superiors, but only to the Pope; insomuch that if an Inquisitor should unjustly prosecute any one for Heresy, the Person apprehended can't appeal to the Superior of that Religion, but only to the Pope. Nor is the Inquisitor in any manner bound to obey the Superior of his Religion, interrogating him on any Affairs relating to his Office, but the Pope alone, whom he immediately represents.

Eymer. direct. part. 3. qu. 11. 2. 12.

And least the Superiors of Orders should claim to themselves any Power over the Inquisitors, by reason of their Inquisitorial Office, *Urban* IV. wrote to the Inquisitors in Privilege of the Catholick Faith. *For if the aforesaid See hath sometimes committed by their Letters, under a certain Form, to some Prelates of your Order, a Power to chuse certain Friars of their Orders to exercise the Office of the Inquisition against heretical Pravity, and to remove and substitute others in their Room, as they should think convenient; as this was granted them only, because it was presumed that they had a fuller Knowledge of the Fitness of such Friars, so hereby no Faculty, Jurisdiction or Power is given them over any such Affair committed, and to be committed to you immediately by the aforesaid See.*

This is in Force only when the Inquisitors are of any particular Order, whither Predicants or Friars Minor. It is now of no Use in *Spain*; for, as *Simancas* tells us, 'tis found by Experience, that 'tis much more useful and proper, that the Inquisitors should be Layers, and not Divines.

Tit. 42. §. 3.

In like Manner the Popes ordered, that in Favour of the Faith the Office of the Inquisitors should be perpetual, so that it was not to cease at the Death of the Pope who conferred it, although the Jurisdiction delegated to them might not have been made use of. Thus 'tis ordained by *Clement* IV. and is to be found in the *Sext. Decret. Least any Persons should be in doubt, whither the Office of the Inquisition of heretical Pravity, committed by the Apostolick See under certain Limitations to your Care, expires at the Death of the Pope who granted it, we by this present Edict declare, that the said Office shall last, in Favour of the Faith, after the Decease of him who conferred it, not only*

with

*with reſpect to Affairs begun during the Life of the Granter, but as to thoſe which are untouched, and not begun, and what is more, even as to ſuch as may not ariſe till afterwards.* For this Reaſon the Office of particular Inquiſitors continues in *Spain*, after the Death of the Inquiſitor General, although they ſhould be delegated by him; and the rather, becauſe they are choſen under this Form: *We conſtitute you our Vicegerents till we ſhall ſpecially recall the Commiſſion.* In which Caſe the Juriſdiction of the delegated Judge continues after the Demiſe of him who deputed him. Cap. *Si delegatus*, de Offic. deleg. *l.* 6.

Simanc. *de Cathol. Inſtit. tit.* 34. §. 14.

This Office is accounted of ſo great Dignity in the Church of *Rome*, that the Title of *moſt Reverend* is given to the Inquiſitors equally as to Biſhops, and becauſe they are delegated by the Pope to their Juriſdiction, they are advanced to the principal Part of the Epiſcopal Office, and are therefore thought to deſerve the Honour of an equal Title of Dignity with the Biſhops themſelves. From whence alſo they infer, that the Inquiſitors ought to take place of the Vicar General of the Biſhop, not only in Cauſes of Hereſy, but in other Acts and Cauſes that do not belong to the holy Office.

Caren. *p.* 1. *t.* 5. *n.* 57.

Simanc. *tit.* 34. §. 21.

In *Spain* oftentimes ſeveral Inquiſitors are deputed together, and whenever this happens, they take Care not to create two who are akin, in the ſame Province, nor ſuffer them to have any Official for their Servant, or of their Houſhold.

§. 15. "If any Thing hard or difficult happens in any Province, the Inquiſitors "muſt refer it to the Council.

§. 16. "The Inquiſitors ſit on their Tribunal ſix Hours every Day, and if any "Thing comes before them that belongs to the Inquiſitors of another Pro"vince, they refer it to them, and the Meſſengers are to be paid the Ex"pences of the Journey by the Inquiſitors to whom they are ſent. 4 *Inſtruct. "Tolet. cap.* 28. *&* 3 *Inſtruct. Valdolit. cap.* 9.

§. 17. "Farther, the Inquiſitors are diligently to read thoſe Books in which the "Teſtimonies againſt Hereticks are contained, that from hence they may "know the Names and Offences of the guilty Perſons, and underſtand di"ſtinctly their ſeveral Crimes. And of this Matter the Viſitors are particu"larly to enquire, and report it to the Inquiſitor General, if the Inquiſitors "ſhould happen to be negligent herein. 5 *Inſtruct. Hiſpal. cap.* 3.

§. 18. "The Inquiſitors muſt take ſpecial Care to agree with and be friendly to "each other. If any Difference ſhould ariſe againſt them, they muſt con"ceal it, and refer it to the Inquiſitor General, that after he underſtands the "Matter he may compromiſe it, and judge between them. 1 *Inſtruct. Hiſpal.* "*cap.* 26."

Carena, *p.* 1. *t.* 5. *n.* 102.

The Office of the Inquiſition ceaſes upon the Inquiſitors Advancement to any Dignity. If the Inquiſitor, for Inſtance, is made a Biſhop, theſe Dignities are incompatible, becauſe both require perſonal Reſidence, and therefore the Office of the Inquiſitor ceaſes.

Richer. *Hiſt. Con. l.* 3. *c.* 1. § 1. *p.* 9.

[If the Inquiſitors are negligent or remiſs in their Office, the Synod of *Sinigaglia*, held *An.* 1423. hath decreed, That they ſhall hereby incur the Penalty of Suſpenſion from entring into the Church for the Space of four Years.

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The ſame Synod commands, *That in Provincial or Synodical Councils, a proper Remedy ſhall be provided, beſides the forementioned Penalty, againſt ſuch negligent Perſons, according to the Degree of ſuch Fault or Negligence, all Privileges, Exemptions, Cuſtoms and Statutes whatſoever to the contrary notwithſtanding.* But I am perſuaded that few offend againſt this Decree, or incur the Penalty of Suſpenſion by Negligence or Lenity; ſince all Compaſſion is baniſhed from this Tribunal, and ſince all who are promoted to this Office of Inquiſitor immediately diveſt themſelves, I will not ſay of all Pity only, but even of Humanity it ſelf.]

If the Inquiſitors offend, by unjuſtly extorting Money, it was anciently provided, in *Clement. de hæret. cap. Nolentes.* that they ſhould be puniſhed by the Prelates of their Order. *Which ſaid Prelates are bound to remove from their Offices ſuch Inquiſitors and Commiſſaries as are found guilty, and when removed, otherwiſe to puniſh and correct them according to their Deſert.* But now as the Prelates of the ſeveral Orders neither appoint or remove Inquiſitors, ſo neither do they puniſh them; but the Affair is referred to the Cardinals Inquiſitors General in Chriſtendom. In *Spain* the Preſident of the Inquiſition, whom they call Inquiſitor Major, puniſhes the delinquent Inquiſitors, which was expreſsly granted him by a Bull of *Leo* X. But however notwithſtanding this, the Pope can, as often as he pleaſes, call, cite, and puniſh the Inquiſitors of all Kingdoms at the Court of *Rome*; for he is the Judge of all, and the Inquiſitors are delegated by him, and becauſe it appertains to him to take Cogniſance of their Cauſes, and puniſh their Offences. And if any others take Cogniſance of theſe Affairs, they do it by a Power derived from the Pope, which he can reſume as often as he thinks fit, and bring the whole Affair before himſelf.

Pegna, *in part.* 3. *Direct. Com.* 62.

When any Inquiſitor is to be puniſhed for his Offence, they take Care not to leſſen Mens Opinion of the Dignity and Authority of the holy Office by his Condemnation or Puniſhment, which they ſay is more dangerous than to ſuffer an Offender to go unpuniſh'd; unleſs it be ſuch an Offence as gives Scandal, and therefore muſt not be paſſed over with Impunity. And they alledge this Reaſon; That the Apoſtolick Inquiſitors are both dreaded and hated by many, and eſpecially by wicked Men; and therefore if they ſhould be eaſily or publickly puniſhed, the fooliſh and mad People would ſoon be drawn by their Crimes to hate and diſhonour the holy Office. So that when there is a Neceſſity to puniſh the Inquiſitors, it muſt be done with Caution, to prevent greater Inconveniences.

However, from theſe Laws it is very plain, that the Tribunal of the Inquiſition is not ſo very holy and blameleſs, as they would have them believe in *Spain* and *Portugal*; but the Inquiſitors puniſh innocent Men ſometimes very unjuſtly, throwing them into Priſon, and treating them in a very barbarous and unworthy Manner. Of this we have a freſh Inſtance in the Inquiſition at *Goa*, in relation to Father *Ephraim*, a *Capucine*, whom out of mere Hatred and Revenge they ſeized, by Craft and Subtlety, and carried away to *Goa*, and there ſhut him up in the Priſon of the Inquiſition. The

Tavern. *Travels.* B. 1. C. 15.

Story

Story is this: Father *Ephraim* having had an Invitation from ſome *Engliſh* Merchants, built a Church in the City of *Madreſpatan*, which was near to the City of St. *Thomas*. To this Place ſeveral of the *Portugueſe* came from St. *Thomas*'s, to have the Benefit of *Ephraim*'s Inſtruction. By this he incurred the Hatred of the *Portugueſe*; and upon ſome Diſturbance that was raiſed, Father *Ephraim* was called to St. *Thomas* to appeaſe it, where he was ſeized by the Officers of the Inquiſition, and carried to *Goa*, bound Hands and Feet, and at Night coming from on Board the Ship, hurried into the Priſon of the Inquiſition. All Men wondered that this *Capucine* ſhould be brought Priſoner before the Tribunal of the Inquiſition as an Heretick, who was known to be a Perſon of great Probity and Zeal for the *Roman* Religion. Many were concerned for his Delivery, and eſpecially Friar *Zenon* of the ſame Order, who tried every Method to effect it. When the News of his Impriſonment came to *Europe*, Perſons were very differently affected. His Brother the Lord *Chateau des Bois*, ſolicited the *Portugal* Ambaſſador at *Paris*, till he prevailed with him to ſend Letters to his *Portugueſe* Majeſty, to deſire his peremptory Orders to the Inquiſitors at *Goa*, to diſmiſs *Ephraim* from his Priſon. The Pope alſo himſelf ſent Letters to *Goa*, commanding him to be ſet free, under the Penalty of Excommunication. The King alſo of *Golconda*, who had a Friendſhip for him, becauſe he had given him ſome Knowledge of the Mathematicks, commanded the City of St. *Thomas* to be beſieged, and to be put to Fire and Sword, unleſs *Ephraim* was immediately reſtored to his Liberty. The Inquiſitors not being able to ſurmount all theſe Difficulties, ſent him Word that the Priſon Gates were open, and that he might have his Liberty when he pleaſed. But he would not leave his Jail, till he was brought out by a ſolemn Proceſſion of the Eccleſiaſticks of *Goa*. And although there are many Inſtances of the like Injuſtice, yet they very ſeldom publickly puniſh'd the Injuſtice and Cruelty of the Inquiſitors, leaſt their Authority, which they would have always accounted ſacred, ſhould be contemned.

## CHAP. III.

### *Of the* VICARS *and* ASSISTANTS *of the* INQUISITION.

Eymer. 41. 43. WHEN the Inquiſition was firſt appointed and delegated, there were no Cardinals Inquiſitors General over Chriſtendom, whom they could conſult by Letter, and from whom receive an Anſwer in Caſes of Difficulty, after their having firſt adviſed with the Pope. And therefore particular Inquiſitors were often forced to go to *Rome*, during whoſe Abſence the Affairs of the Faith were at a ſtand. To prevent this Inconvenience, the Inquiſitor may in ſuch a Caſe appoint a Vicar General over the whole Province,

Pegna, *in* Eymer. *p.* 436.

vince, with a Power of proceeding to the definitive Sentences of the Impenitent and Relapſed. *Urban* IV. in order to remove this Difficulty, *A. D.* 1263. created by a Reſcript, beginning, *Cupientes*, the Cardinal of St. *Nicholas in carcere Tulliano*, Inquiſitor General, or, as it were, Protector of the Inquiſitors, whom particular Inquiſitors might conſult, either in Perſon, or by propoſing their Doubts to him by Letters. But now all theſe Inconveniences are over, ſince the Appointment of the Cardinals Inquiſitors General over Chriſtendom, whom they may conſult by Letters, and to whom all Princes are ſubject in this Affair. This is plain from the Bull of *Pius* V. publiſhed 1566. In *Spain* the Inquiſitors of particular Cities conſult the Inquiſitor General of thoſe Kingdoms, or Preſident of the Inquiſition; and he with thoſe of other Provinces adviſes with the Cardinals Inquiſitors General.

'Tis however now the conſtant daily Practice of all Inquiſitors to have their Vicars General, who, in their Abſence, may manage the Affairs of the Inquiſition. Theſe are ordinarily appointed by the Inquiſitors themſelves; for the Inquiſitor hath Power of conſtituting his Vicar or Commiſſary, by the Bull of *Clement* VII. ſent to *Paulus Bugitella*, which begins, *Cum ſicut*, in which we read: *Moreover we decree that you may have Authority to appoint your Vicars or Commiſſaries, Perſons whom you ſhall judge to be circumſpect, fit, and proper, provided they are full thirty Years of Age.* Qu. 13.

This Power doth not extend only to the appointing one or two Vicars or Commiſſaries, but ſeveral, if the Dioceſe or Province be large, and contains ſeveral Cities. For as the Inquiſitor cannot be perſonally preſent at all of them, 'tis neceſſary he ſhould appoint Commiſſaries in them. He muſt create at leaſt in every City one, a Man prudent and learned, an old Chriſtian, pious, and fit for Buſineſs, a religious Perſon of his own, or ſome other Order, or a ſecular Clergyman, *viz.* one poſſeſſed of ſome Preferment in the principal Church of that City, or a Canoniſt, whom he verily believes will take Care of the Matters of the Faith diligently, and according to the Canonical Sanctions. Pegna, Com. 63.

This Vicar General may be conſtituted with ſuch full Powers by the Inquiſitor, as to be able to receive Denunciations, Informations or Accuſations from and againſt any Perſons whatſoever, and of proceeding, and of citing, arreſting, and putting in Irons as well the Witneſſes as the Guilty, of receiving their Confeſſions or Depoſitions, and of proving them, of examining and compelling to give Evidence, and of putting to the Queſtion and Torture to force the Truth from them, jointly with the Lord Biſhop or his Vicar; as alſo of impriſoning them by way of Puniſhment rather than Safety, of calling together and adviſing with skilful Men at his Pleaſure; and in general of doing every Thing, which the Inquiſitor himſelf, if preſent, could do. Only the Inquiſitor uſually reſerves to himſelf the definitive Sentence of all Impenitents and Relapſed, although he may alſo commit even this to his Vicar. In the *Seville* Inſtruction, *A. D.* 1484. *cap.* 17. 'tis provided, *That the Inquiſitors ſhall themſelves receive and examine Witneſſes, and not commit the Examination to a Notary, or any other Perſon; unleſs the Witneſs be ſo ill, as that he can't appear before the Inquiſitor, and it be not reputable for the Inquiſitor to go to the Wit-* Eymer. p. 3. 37. 38. Pegna, p. 434.

*neſs to receive his Depoſition, or except he be otherwiſe hindred. In ſuch a Caſe the Inquiſitor may commit the Examination of the Witneſs to the ordinary Eccleſiaſtical Judge of the Place, or to ſome cautious and honeſt Perſon, who underſtands how to examine with the Notary, and who ſhall report the Manner in which the Witneſs gave his Depoſition.* But the Power of pronouncing definitive Sentences is very ſeldom given to the Commiſſary or Vicar, without firſt conſulting the Inquiſitor, who in Decency is bound to defend the Proceſſes of his Commiſſaries. He cannot however grant ſuch Commiſſary a Power of ſubſtituting a Vicar for himſelf. Sometimes they appoint two Commiſſaries, who ſhall equally and jointly proceed againſt the Guilty.

p. 41.

The Inquiſitor only can depoſe the Vicar thus appointed by himſelf, and 'tis not in the Power of the Prelates of the Religious.

Sometimes the Pope himſelf appoints the Commiſſary, ſo that there are two ſorts of Commiſſaries, ſome appointed by the Inquiſitor, others by the Pope. Their Power is unequal. The Commiſſary appointed by the Inquiſitor, neither takes Place of the Ordinary, nor poſſeſſes all the other Privileges which the Inquiſitor doth. Whereas he who is particularly appointed by the Papal Authority, is in all Things equal to the Inquiſitor himſelf.

Caren. p. 1. t. 7. n. 15, 16.

'Tis a Queſtion amongſt the Doctors, Whither upon the Death of the Inquiſitor, the Juriſdiction of the Vicar ceaſes. But though this was controverted heretofore, there ſeems to be no Doubt remaining about it now. For the Congregation of Cardinals Inquiſitors General hath decreed, that the Vicars General of the Inquiſitors ſhall be nominated or choſen by the Inquiſitors, and then confirmed by their Congregation. Whilſt this Decree is in Force, the Vicars have their Juriſdiction properly from the Congregation; and therefore as Acts derive their Validity from the Perſon confirming them, the Juriſdiction of the Vicars ſhall not expire upon the Death or Removal of the Inquiſitors. And thus *Carena* tells us it was obſerved in the City *Pavia*, in which after the two Inquiſitors that were dead, the Vicars General of the holy Office managed all the Affairs of the Inquiſition.

P. 1. t. 11. n. 5, 7.

As to what regards the Vicars appointed in the ſeveral Cities, which they call Foraneous Vicars, they have ſeldom any Thing elſe granted to them, but only the Management of an offenſive Proceſs, as to which they are often to inform the Inquiſitor of the Tranſactions in reference to it. So that they can impriſon no Perſon, unleſs the Affair be firſt communicated to the Inquiſitor, or except there be a very great and unavoidable Neceſſity. For Inſtance, if the Matter relate to a formal Heretick, and there ſhould be Danger in a Delay, that he might endeavour to eſcape by Flight.

Eymer. p. 3. qu. 20.

If the Inquiſitor needs an Aſſiſtant in his Office, the Priors of the Orders are commanded by a Bull of *Clement* IV. beginning, *Ne Catholicæ Fidei negotium*, that to remove all Difficulty, they ſhall take Care to aſſign to the ſeveral Friars choſen for Inquiſitors, their ſeveral Aſſiſtants, *viz.* Friars of their Order, careful and diſcreet Perſons, fit for the ſaid Buſineſs, and who are worthy to be joined with thoſe whom they are to aſſiſt. And as often as the Inquiſitors ſhall deſire it, let them provide others of the ſame Order beſides

thoſe already provided. *Gregory* XI. by a Bull beginning, *Catholicæ Fidei negotium*, gives the Inquiſitors free Power of going to the Court of *Rome*, and abiding there, and of taking an Aſſiſtant without the Licence of his Order, and of changing ſuch an Aſſiſtant, and of taking another out of his Province, and of keeping him with him as often as he ſhall judge fit, any Prohibition of Prelates or Chapters to the contrary notwithſtanding.

## CHAP. IV.

### *Of* ASSESSORS *and* COUNSELLORS *neceſſary to the Office of the* INQUISITION.

THE Inquiſitors were originally religious Friars, skilful only in Divinity, but ignorant of the Laws. And therefore becauſe they might be eaſily deceived in a judiciary Proceſs, and ſo abſolve ſuch as ſhould be condemned, and condemn ſuch as ſhould be abſolved, they were commanded to call in skilful Perſons, ſuch as Divines, Canoniſts and Layers, to conſult them, and if there was need to compel them to give their Advice in Virtue of their Obedience; as we find it, *cap. Ut commiſſi.* §. *Advocandi.* de hæret. *lib.* 6. *That you alſo call in as Occaſion requires, any skilful Perſons to aſſiſt you, and give you proper Advice in paſſing ſuch Sentences, and enjoin them by Virtue of their Obedience, that in this Matter they humbly obey you.* And thus we often find it in the Book of the *Tholouſe* Inquiſition, in the Sentences pronounced: *We the aforeſaid Biſhop and Inquiſitor, with the Advice and Counſel of many good Men skilful as well in the Canon as Civil Law, and of many prudent religious Perſons*, &c. I do not find that their Number is preciſely determined by any certain Law. *Carena* ſays, that in the Congregation at *Cremona*, there are regularly preſent, four Regular Divines, four Secular Clergymen, Canoniſts, and four Lay Counſellors; and becauſe the Inquiſitor there is always a Maſter in Divinity, they don't need ſo many other Qualificators, as the Inquiſitors of *Spain* do, who are Layers.

Eymer. *p.* 3. *qu.* 77. Pegna, *Com.* 126. *P.* 1. *tit.* 8. *n.* 12. *Ibid. n.* 35.

'Tis to be wonder'd at, that the Office of making Inquiſition againſt Hereticks, and of judging them, ſhould be committed to Perſons entirely ignorant of the Law. But if we conſider the modern Inquiſitors, and compare them with the more ancient ones, and judge of their Ignorance by what we find of the Ignorance of the other, it muſt be owned that they know nothing either of Law, or of Divinity, or of any Theological Points. The Author of the Hiſtory of the Inquiſition at *Goa*, was in doubt, whither the Baptiſm of the Breath * could be reconciled with thoſe Words of our Lord, *John* iii. 5. *Except a Man be born again of the Water and the Spirit, he cannot enter into the Kingdom of Heaven.* The Inquiſitor who examined him as to his Faith, was aſtoniſhed at the citing of this Place, and asked where the Paſſage was

*a.* 22.

* *Baptiſmus Flaminis* is the Baptiſm of the Holy Ghoſt, founded on *Acts* i. 5. and, I ſuppoſe, ſo called from *Joh.* xx. 22. *He breathed on them, and ſaith unto them, Receive ye the Holy Ghoſt.*

to be found. * He was equally ignorant of the Canon of the Council of *Trent*, about the Worſhip of Images. So that he concludes, that the Ignorance of the Inquiſitors, in Matters of Faith, exceeds all Belief. Father *Ephraim* alſo affirmed, That nothing was ſo troubleſome to him in the Priſon of the Inquiſition, as the Ignorance of the Inquiſitor and his Aſſeſſors, when they examined him, which was ſo very great, as that he verily believed not one of them had ever read the holy Scriptures. And therefore as the Inquiſitors are thus ignorant themſelves, they greatly want the Advice, not only of Perſons skilful in both Laws, or as they call them, of Canoniſts and Layers, but of Divines alſo. They are generally called Aſſeſſors and Counſellors.

They have their diſtinct Parts. They are not all indifferently conſulted in all Affairs, but each of them as to thoſe which they are preſumed to underſtand. The Divines are called in to examine Propoſitions, and explain their Quality. The Layers are conſulted about the Puniſhment or Abſolution of Offenders, and other Merits of Cauſes. The Inquiſitors generally conſult and deliberate with theſe skilful Perſons together, and not apart, as is provided in certain Letters of the *Spaniſh* Counſel.

When therefore any Queſtion happens in the Cognizance of the Cauſes of Hereſy at the Tribunal of the Faith, relating to the Quality of Propoſitions, ſpoken by Hereticks, or Perſons ſuſpected of Hereſy, the Deciſion of that
*Tit.* 54. Affair belongs to the Divines, from whence they are called *Qualificators*. *Simancas* diſtinctly deſcribes to us their Office.

§. 2. " The Anſwers of the Divines, containing the Quality of Propoſitions, are " to be inſerted in the Acts of the Judiciary Proceſs, ſubſcribed by them, " equally with the Sayings and Witneſſes of Perſons skilful in other Mat- " ters.

§. 6. " A Propoſition is either heretical, *viz.* when it is contrary to Scripture, " or the Church, or the Decrees of a general Council, rightly aſſembled, as to " Matters of Faith, or the Determination of the Apoſtolick See, or the com- " mon Opinion of the Doctors of the Church.

" Or it ſavours of Hereſy, when it hath an heretical Senſe in the moſt ob- " vious Signification, and firſt View of the Words, although if piouſly under- " ſtood, it may bear a Catholick Senſe. As for Inſtance, this Propoſition: " *'Tis ridiculous to carry the Sacrament of the Euchariſt in a ſolemn Proceſſion thro'* " *the publick Streets.* For this Propoſition manifeſtly ſavours of the Hereſy of " the *Lutherans*, and Sacramentaries.

§. 9. " Or it is erroneous, when any Thing is aſſerted againſt a Truth not " plainly determined by the Church, or againſt a Catholick Verity, not

* Dr. *Geddes* gives us a worſe Account of their Stupidity and Ignorance. The Writer of the *Repertorium*, printed at *Venice*, *An.* 1588. to ſhew his critical Learning, ſaith, the Word *Hereticus*, according to ſome, is compounded of *Erro* and *Recto*, becauſe an Heretick errs from what is right. According to others, it is derived from *Erciſcor*, which ſignifies to divide; and, according to ſome, it comes from *Adhæreo*, becauſe it is one's adhering obſtinately to an Error that makes him an Heretick. And with the ſame Stock of Learning it was that another Inquiſitor proved, from St. *Paul's* Words, *Hereticum devita*, that Chriſtians were commanded to deprive Hereticks of their Lives. *Geddes Tracts*, *Vol.* I. *p.* 425.

" known

" known to all, or at leaſt not to him who pronounced the erroneous Propo-
" ſition. But as to this Propoſition the Doctors greatly differ.

" Or it ſounds ill, and offends pious Ears, *viz.* ſuch as gives Scandal and §. 10, 11.
" Occaſion of Ruin to pious Hearers or Readers. When any are offended
" at ſuch Propoſitions, the Aſſertor of them is forced by the Inquiſitors pub-
" lickly to declare their true Senſe, that ſo the Scandal given may ceaſe. But
" if ſuch a Perſon be otherwiſe ſuſpected, he is to be called and interrogated
" by the Judges; and if he gives a probable Senſe of the Words, he is not
" to be compelled to a publick Explanation, provided no one hath been ſcan-
" dalized. He is however to be admoniſhed not to ſpeak ſuch Things
" again for the future.

" Or it is raſh, *viz.* when atteſted without any grave Authority or juſt §. 12.
" Reaſon, inſolently and boldly, contrary to Eccleſiaſtical Modeſty. As if
" any one ſhould ſay, *The Day of Judgment will be within a Month.* Some-
" times however ſuch Propoſitions are not accounted raſh, when they
" are modeſtly aſſerted, or have ſome Probability, or pious Tendency to
" edify the Hearers or Readers. Of this ſort are many Things, which
" Men, given to Meditation, may probably imagine to have been done.

" Or it is ſcandalous, in which the Scandal may be obſerved, though other- §. 13.
" wiſe not heretical. As if any one ſhould reckon up the Inconveniences of
" holy Confeſſion, or tell the Abuſes of the Church of *Rome* before the com-
" mon People; or if any one ſhould ſay, *That an evil Prelate is truly a Thief*
" *and a Robber*; *The Univerſities and Colleges are introduced by human Vanity*;
" *Pulſe and Fiſh blow up the Belly, and incline Men to Venery.*

" Or it is ſchiſmatical, when tending to introduce Diviſion into the Church. §. 14, &c.
" Or ſeditious, when it becomes the Cauſe or Occaſion of Sedition in the Church.
" Or blaſphemous, when injurious to God and his Saints. Or favouring Here-
" ticks, when it any ways favours the Perſons or Errors of Hereticks. This
" for Inſtance, *Hereticks are not to be puniſhed.* Or it is injurious, when it de-
" tracts from, or is injurious to the State of any one of the Faithful, ſome il-
" luſtrious Perſon or Dignity. Such are thoſe Things which mad and impious
" Men blab out againſt the Cardinals and Monks.

" The ſame Propoſition may alſo have ſeveral Qualities. It may be er- §. 19.
" roneous, and heretical, and ſchiſmatical, and ſeditious, raſh, and injurious,
" and thus have one, two, or more Qualities.

" Although doubtful Queſtions concerning the Faith, are to be determined §. 20.
" by the chief Pontiff or a general Council, yet as a doctrinal Matter, 'tis
" uſual for learned and prudent Men to explain and determine what Propoſi-
" tion hath this or the other Quality. And this properly is the Buſineſs of the
" Divines. However ſometimes the Layers can eaſily determine ſuch Mat-
" ters from the Decrees of the Popes, Councils and holy Fathers.

" And whereas many who can't deny that they uttered ſuch Propoſitions,
" yet will ſo endeavour to interpret them, as to prevent their being criminal,
" therefore there muſt be careful Obſervation made as to the Nature of ſuch
" Interpretations. If they are juſt and probable, and do wholly, or for the

" moſt

" moſt part, clear them of the Crimes objected to them, they are to be ad-
" mitted. But if they are abſurd, incredible, or unlikely, and don't agree
" with what goes before, or comes after, nor with the Nature of juſt ſpeak-
" ing, nor with the Circumſtances of Perſons, Times, and Places, they are
" to be rejected; eſpecially when under the Pretence of an Interpretation
" the true Senſe of a Propoſition is deſtroyed and corrupted.

*Part* 1. §. 400, &c. " *John Royas* affirms, That the adjudging of Propoſitions partly be-
" longs to the Canoniſts, and gives us a ſhort Account of the Office
" of the ſeveral Aſſeſſors, and in what Matters they are to be conſulted.
" If there be a Doubt whether any Aſſertion be expreſly condemned as he-
" retical, the Cogniſance of it belongs to thoſe who are ſkilful in the Canon
" Law; becauſe Hereſies condemned are to be found in the *Decretals*, the *Sex-*
" *tum*, the *Clementines*, *Extravagants*, and *General Councils*. But if ſuch an As-
" ſertion is not expreſly determined, it belongs to the Interpreters of holy
" Writ. But it belongs to the Divines to determine concerning the indiſtinctly
*Inſt. Mad. a.* 1561. *cap.* 1. " and abſolutely received Uſe and Manner of every Propoſition, and from their
" Aſſertions in judging Cauſes of Faith, there muſt be no receding, which al-
" ſo is more fully decreed by the Counſellors of the ſupreme General Council
" of the Inquiſition. But the proper Duty and Office of the Inquiſitors of he-
" retical Pravity, is to obſerve the judiciary Order againſt Hereticks, preſent
" or abſent, in their Apprehenſion, Accuſations, Publications of Witneſſes,
" and in their Sentences, whether definitive or interlocutory, with the Advice
" of ſuch Lawyers as are called Counſellors. Of all theſe Things, the Pro-
" feſſors of the ſacred Writings are wholly ignorant. Under theſe Counſel-
" lors Lay Perſons married, who are ſkilful in the Canon and Civil Law,
" are comprehended." This *Carena* confirms by his own Example, who
*p.* 1. *t.* 8. *n.* 7. ſays of himſelf, *I who am a Judge, a Conſervator of the Rights of the holy Office, Counſellor and Advocate Fiſcal, am married.* But he thinks this is not the Manner in the Kingdom of *Portugal*, becauſe there the Counſellors have a deciſive Vote, and ſubſcribe to the Sentences.

Pegna, *Com.* 127. However, the Inquiſitors are not bound neceſſarily to follow the Advice of the Counſellors; but after they have heard their Opinion, they are free to determine what they think proper, though contrary to, or different from the others Advice; becauſe their Votes are not deciſive, but only by way of Advice. This alſo is plain from hence, becauſe, as *Camillus Campegius*
*In* Zanch. *cap.* 15. ſays, " It may happen, that by the Intreaties of others, they may give
" wrong Advice, not to ſay unjuſt. For the Love of Chriſt is grown ſo
" cold, that few are to be found who have God only before their Eyes, in
" the Advices they give. For they who defend the Guilty, do ſo perpetual-
" ly tire even the Doctors themſelves with their Entreaties, that for the moſt
" Part they turn them aſide from Juſtice. Add to this, that the Inquiſitors
" in *Italy* are ſo poor, that they cannot maintain certain and fixed Counſel-
" lors, nor afford them even a ſmall Salary: So that little Care is taken of the
" Affairs of this holy Office."

Farther, the *Madrid* Inſtruction, in the Year 1561. hath determined the ſame. Cap. 66. *In all Caſes, in which the Inquiſitors and Ordinary, or any of them, differ in Opinion, either in the Determination of a Cauſe, or any other Act, or in an Interlocutory Sentence, the Cauſe muſt be referred to the Council. But if the Inquiſitors and Ordinary agree, their Decree muſt be executed, though the Counſellors differ, and ſhould be more in Number.* There is alſo a Letter of the Counſel in Poſſeſſion of the Inquiſitors of *Corduba*; by which it is decreed, That if the Inquiſitors and Ordinary Judge do agree, their Sentence is to be preferred, although the Advice of all the Counſellors differ from it. For the Juriſdiction properly belongs to the Inquiſitors and Ordinary Judge; and when they have heard the Opinion of the Learned, and thoroughly conſidered the Proceſs of the Cauſes, and fully weighed all Circumſtances, they can much better determine, and with greater Certainty. But as to the Inquiſitors of *Valladolid*, unleſs the Majority of them agree in the ſame Sentence, the Cauſe muſt be referred to the Council, although the aforenamed Judges ſhould be unanimous. In *Portugal* the Counſellors have a deciſive Vote, and ſubſcribe their Names together with the Inquiſitors in the Determination of Cauſes, and the Sentences; and they are choſen under the ſame Conditions as the Inquiſitors are, excepting only that of being forty Years old, which is required by the common Law.

Simanc. *tit.* 41. §. 14.

Souza, *l.* 1. *c.* 1. §. 14.

But although this Power is granted to the Inquiſitors, yet 'tis ſafer to follow the Advice of the Skilful. To this End they ought fully to communicate the whole Proceſs of Criminals to them. Per cap. *Statuta.* §. *Jubemus*, lib. 6. *When the Biſhop proceeds before the Inquiſitors, or whether the Biſhops or Inquiſitors proceed, if there can be conveniently had a Number of Witneſſes, let their Names be declared to certain other wiſe and honeſt Perſons, whom we order to be called to this Service, and to whom the whole Proceſs under Conſideration muſt be ſeriouſly opened, and fully explained, and by whoſe Advice they muſt proceed to Sentence or Condemnation. And thus, notwithſtanding the Names of the Witneſſes be not declared to the Perſons accuſed, let all Credit be given to the Depoſition of the ſaid Witneſſes, and the Judge proceed upon ſuch Information.* 'Tis however a received Cuſtom amongſt the Inquiſitors, never to tell the Names of the Witneſſes to the Counſellors. 'Tis however the Duty of the Inquiſitor to remark the Qualities of the Witneſſes; as whether they be religious, ſkilful, grave, and approved, or whether leſs approved, common Perſons, poor, young, unſkilful, and the like; that their Qualities being thus known, the Skilful may more eaſily underſtand what Credit is to be given to what they ſeverally ſay, and what not. If there be Reaſon to fear that the Witneſſes are Enemies to the Criminal, the Inquiſitors may in ſuch a Caſe declare the Names both of the Witneſſes and Criminals; becauſe poſſibly the Counſellors may know them both; and whether they are, or have been Enemies. But to prevent any raſh Publication of this Matter, they may bind them by Oath, or under the Sentence of Excommunication, to keep it a Secret; becauſe Secrecy, as they ſay, is the principal Nerve of the Cauſes of the holy Office. Cap. eod. *More effectually to prevent any Danger to the Accuſers and Witneſſes, and for the more*

Pegna, *part* 3. *com.* 128.

can-

*cautious Proceeding in the Affair of the Inquiſition, by Authority of this preſent Conſtitution, we permit, That the Biſhop or Inquiſitors may enjoin Secrecy to thoſe, whom they entruſt with the Knowledge of ſuch Proceſs; and if they think fit, publiſh againſt them the Sentence of Excommunication, which they,* ipſo facto, *incur, by diſcovering the Secret, if they ſhall reveal the Secrets of the Council, or Proceſſes, committed to them in Secrecy, by the Biſhop or Inquiſitors, to any Perſon, without their Leave.* The Counſellors alſo generally ſwear that they will keep Secrecy, and not reveal the Affairs treated of in the Congregation, under the Penalty of Excommunication, to be *ipſo facto* incurred, from which they cannot be abſolved, but by the Cardinals, ſupreme Inquiſitors. They likewiſe ſwear under the ſame Penalty, that they will not ſpeak of, or debate, either by Word or Writing, or any other Way, of thoſe Things which concern the Cauſes of the holy Office, unleſs it be with the Counſellors, and other Officials of the ſaid Office. And although they ſhould not expreſly ſware; yet there are many Laws that oblige them to keep it, enjoining them not to diſcover the Cauſes of Faith, becauſe of the great Danger that may ariſe from it. And if they ſhould make ſuch Diſcovery, though not ſworn to Secrecy, they may be puniſhed by the Inquiſitors without the uſual Way of Proceeding. But if they have maliciouſly done it, and eſpecially to thoſe who may obſtruct the Affair of the Faith, or otherwiſe hinder the Cauſe, they may be puniſhed as Obſtructors of the holy Office, more or leſs, according to the Nature of the Offence, by which the Meaſure of the Puniſhment is to be regulated.

Carena, *p.* 1. *t.* 8. *n.* 65.

If Biſhops or Inquiſitors diſcover the Secrets of the holy Office, they would indeed incur no Cenſure, but be guilty of mortal Sin; unleſs they alſo ſhould have taken an Oath of Secrecy in the Congregation of their Counſellors, according as the Congregation of the Cardinal, ſupreme Inquiſitors, hath decreed they ought to do. For they alſo take themſelves the like Oath of Secrecy.

*In* Zanch. *cap.* 15.

*Camillus Campegius* contends, "That the whole entire Proceſs, with the "Names and Circumſtances, is not to be publiſhed to the Counſellors; becauſe "they have their Factions and Paſſions, ſince they are Fellow Citizens, or "otherwiſe allied to the Criminals, their Friends and Relations, whereby "the Safety of the Witneſſes will not be ſufficiently provided for, according "to the Decree of the Canon. Nor doth it ſignify, though the Inquiſitor or "Biſhop ſhould enjoin them to Secrecy under the Sentence of Excommunication, to be *ipſo facto* incurred upon their diſcloſing the Secrets: For they "would think this as a very great Injury done them. Beſides, this would be "a Snare laid for their Souls; for they would ſoon fall under Excommunication, through the importunate Inſtances of inquiſitive Perſons. Nor will "this derogate any Thing from the Proceſs of the Faith, or the Depoſition "of the Witneſſes: Yea, rather the imminent Danger apprehended by the "Judges, is a ſufficient Reaſon for not making a Diſcovery to the Counſellors, "any more than to the Criminals. So that 'tis ſafer to obſerve the ancient "Cuſtom, and not to diſcover the Witneſſes Names to the Counſellors. The "ſame *Campegius* ſays, undoubtedly, for the better keeping the Secret, that

" there is no need of calling in many, and that a few of the better Sort is " abundantly ſufficient."

'Tis enquired by the Canoniſts, whether the Inquiſitors are obliged to call for the Vote of the Counſellors before Sentence; ſo that without it the Sentence ſhall be void. *Carena* doth not think them oblig'd to it; and ſays, that in the Inquiſition at *Cremona*, he hath oftentimes ſeen Cauſes determined by the Biſhops and Inquiſitors together, without aſking the Votes of the Counſellors; and adds, that they ought not ſo to truſt to their Counſellors, as to think themſelves excuſed from reconſidering the Proceſs and Books, and examining the Cauſe; becauſe as they are Judges, it is their Duty to examine the Merits of the Proceſs. " Hence it is that if the Inquiſitors of heretical " Pravity err in determining the Cauſes of the Faith, whether from their own " or their Counſellors Judgment, they are worthy of Puniſhment, and the " Votes of their Counſellors will not excuſe them, becauſe they ought to " have examined whether their Advice was proper or not. But if the " Queſtion is too difficult and hard, either through the Nature of the Fact, " or the various Opinions of the Doctors, the Inquiſitors are in ſome Mea- " ſure excuſed through their Ignorance of an obſcure Law. However, " the Advice of the Counſellors, though wrong, hath this wonderful Effect, " that though the Inquiſitors are faulty, yet their Error is not to be imputed " to Corruption. But to avoid all Blame, in all difficult and doubtful Caſes; " ſuch as the Seiſure of noble and religious Perſons, and the Releaſe of Cri- " minals; the Affair, with all the Merits and Votes, is to be laid before " their Superiors, who are to be conſulted, before it is put in Execution." *Inſtruct. Granat. a.* 1499. *cap.* 13. *Inſtruct. Hiſpal. a.* 1500. & *Inſtruct. Madril. a.* 1561. *c.* 5. *and* 66.

*p.* 1. *t.* 8. *n.* 55, 56. Royas, *p.* 1. §. 424. §. 435.

Although theſe Counſellors or Aſſeſſors of the holy Office may lawfully be choſen by the Inquiſitors, and are in Fact deputed by them in ſeveral Cities, as at *Pavia*, and the other Cities of that Territory; yet at *Cremona* and *Milan*, the Counſellors, Advocate Fiſcal, and Chancellor, are choſen by the Cardinals, Inquiſitors General at the Nomination of the Inquiſitors. So that theſe Counſellors depend on that Congregation, and cannot be removed but by it; becauſe the Act is his who confirms it.

Carena, *p.* 1. *t.* 8. *n.* 3, 4, 5.

The Father and Son muſt not be choſen together Counſellors of the holy Office. However, the Congregation of the ſupreme Inquiſitors General, for the Merits of *Francis Caucius* a Lawyer, deputed *John Baptiſt* a Lawyer, his Son, as a Counſellor of the holy Office, or rather as an Aſſiſtant to his Father, who had been a Counſellor of the ſaid Office above thirty Years; but upon this Condition, That they ſhould not be preſent together in the Congregations; becauſe the Counſellors Votes ought to be altogether free.

*n.* 32.

The proper Place of theſe Congregations is the Hall of the holy Office. *Carena* ſays, that he heard from ſome worthy Perſons, that there are Letters of the Inquiſitors General upon this Affair, commanding that ſuch Congregations, when held before the Biſhop, ſhall meet in the Epiſcopal Palace. But when the Biſhop will not, or cannot be preſent, they ſhall meet in the holy

*n.* 38.

Office; and that the Vicar General of the Biſhop muſt be there. And though he himſelf did not ſee thoſe Letters, yet he ſays this is exactly the Method in the Inquiſition at *Cremona*.

*n.* 44, 45. In voting they obſerve this Order in the Congregation at *Rome*. The junior Counſellors vote firſt, that they may not be afraid to differ from the Opinion of the Elder. In the Congregation at *Cremona* 'tis quite contrary, where the more Worthy vote firſt.

*n.* 48. The Method of voting is this: When the Merits of the Proceſs are propoſed, the Counſellor firſt examines, whether the Intention of the Fiſcal is fully proved, and how. Then he conſiders, whether the Intention of the Fiſcal is drawn from the Proofs and Exceptions of the Matter; and after having conſidered theſe Things, he gives his Vote.

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## CHAP. V.

### *Of the* PROMOTOR FISCAL.

Simanc. *tit.* 53. §. 1, 2. "THEY uſually call that Official of the Inquiſition the Promotor Fiſcal, "who acts the Part of the Accuſer. He muſt be an honeſt, dili- "gent and induſtrious Perſon, ſkilful in the Law. He is prohibited from "exerciſing this Fiſcal Office in the Province where he was born, that he "may not be thought to act out of Favour or Hatred.

§. 3, &c. "It belongs to this Office to examine the Depoſitions of the Witneſſes, to "give Information of Criminals to the Inquiſitors, or Notice of them to the "Judges, and to demand their Apprehenſion and Impriſonment; and finally, "when apprehended and admoniſhed to accuſe them."[22] In the holy Office in *Spain*, the Fiſcals do not form their Accuſation againſt the Criminal, till the Way is clear for the Inquiſitors to proceed againſt him. "And although "the Criminals, upon Admonition, ſhould confeſs all their Hereſies, yet the "Promotor Fiſcal muſt accuſe them of the ſame Things, that Judgment "may be formed from the Accuſer, Criminal and Judge. The Charge is, "to be drawn up and preſented to the Judges by the Promotor, to which he "is to add an Oath, that none of the Heads of it proceed from a malicious "Deſign; but only that he may the better proſecute his Suit, and that he "intends to prove them all.

Carena, *p.* 1. *t.* 9. *n.* 15.

§. 7. "If the Judges ſhall allow any Time to receieve the Proofs, he muſt "produce the Witneſſes againſt the Criminal, and demand their Examina- "tion; and that their Depoſitions be allowed and publiſhed. If after this "other Witneſſes ſhall appear to prove other Hereſies, this alſo ſhall be ad- "ded to the Accuſation, and the Promotor Fiſcal ſhall accuſe the Criminal "of theſe. He muſt alſo take particular Care to obſerve all the Confeſſions, "Sayings and Anſwers, of the Criminals, that he may be able to gather what

"relates

" relates particularly to their Caſe, and what to other Hereticks. And when §. 10.
" the Depoſitions of the Witneſſes are written down and allow'd; and when the
" Judges and Counſellors debate about the Sentence to be paſſed, the Promotor
" Fiſcal muſt be abſent. But he may be preſent when the Proceſs of the Cauſe
" is reported, and from Fact or Law alledge what he thinks convenient." In the *Cremona* Inquiſition the Fiſcal is not preſent at the Examination of the Witneſſes, unleſs the Inquiſitor calls for him. He is however preſent at the Examination of the Witneſſes, by Way of Defence, and at the rehearing of the Witneſſes, and muſt be preſent in the Congregations when they vote in the Cauſe, and always at the Torture, together with the Inquiſitor, who ſits between the Vicar General on the Right, and the Advocate Fiſcal on the Left. Carena, *p. 1. t. 9. n.* 41.

" Heretofore the Promotor Fiſcal was bound to defend the Cauſes of the §. 11.
Treaſury before the Judge of the forfeited Effects, which is to this Day in Uſe in ſome Provinces. But generally ſpeaking, this Affair belongs now to the Advocate of the Treaſury.

" Beſides this, in *Spain* they chuſe a Perſon for Procurator General of the *tit.* 52.
" holy Inquiſition there, that he may manage the Affair of this moſt holy §. 6. 2 In-
" Office at the Court of *Rome*, who is to have a proper Salary paid him out of ſtruct. Hiſ-
" the forfeited Effects. Into this Office a ſkilful and honeſt Man muſt be pal. *cap.* 2.
" choſen.

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## CHAP. VI.

### *Of the* NOTARIES *of the* INQUISITION.

THE Office of the Regiſters, whom they alſo call Notaries and Secretaries, is to write down the Injunctions, Accuſations, and all the Pleadings of the Cauſes. The Judge ought not only to take Care that the Notary writes down the Depoſitions of the Witneſſes, or the Anſwers of the Criminals, but alſo that he diligently explains, and particularly remarks, during the Proceſs, the ſeveral Circumſtances relating to the Witneſs, the Informer, and the Perſon againſt whom Inquiſition is made, *viz.* Whether the Colour of his Face changes; whether he trembles or heſitates in ſpeaking; whether he frequently endeavours to interrupt the Interrogatories, by hauking or ſpitting; or whether his Voice trembles, and the like. All theſe Circumſtances the Judge ought to take Care to have particularly ſpecified in the Proceſs, that it may not be ſaid, that the Perſon inquired againſt is put to the Torture without Proofs. Simanc. *tit.* 41. §. 7. Campeg. *in* Zanch. *c.* 9.

Whatſoever the Notary writes down from the Mouth of the Criminals, or Witneſſes, muſt be in the ſame Language in which the Witneſs or Criminal ſpeaks, without altering, adding, diminiſhing, tranſpoſing or inverting any of the Words. If the Criminal or Witneſs doth not underſtand *Latin*; and Pegnæ. prax. *Inq. l. 2. c.* 20. *n.* 12, &c.

if the Notary or Inquiſitor doth not underſtand the Language of the one or other, the Inquiſitor muſt have a ſkilful Interpreter. For it may happen that a *Frenchman*, a *Spaniard*, an *Engliſhman*, or a *German* may be examin'd before an *Italian* Inquiſitor. The Depoſitions of the Witneſſes and the Confeſſions of the Criminals, are to be written down by the Notaries, in the ſame Words in which they are deliver'd. And when there are ſeveral Witneſſes, 'tis not ſufficient that the Notary, when he hath particularly wrote down the Depoſitions of the firſt Witneſs, ſays, that the ſecond or third ſays entirely the ſame as the firſt; but he muſt write down the particular Words of the ſeveral Witneſſes, becauſe oftentimes the Caſe before this Tribunal is the Proof of formal Hereſy. *Clement* VIII. in a general Congregation of the Inquiſition, *November* 9, 1600. hath particularly commanded the Inquiſition not to omit any of the Interrogatories which are made by the Judge, in the Examination of the Witneſſes and Criminals, but to write them down at large. [Yea, ſo favourable are they to this Affair of the Faith, that though the Notaries ſhould make one falſe Libel, yet all their others are valid, whilſt they are kept in Office; although when the Author is condemned, the Book is commonly condemned too. *Ibid.*]

*Ex Gloſ. in cap. Fraternitatis.*

*vit.* 41. §. 7.

" Theſe Notaries are to be choſen of the Laity; but in Cauſes of Hereſy, the " Clergy and Monks, and alſo others in holy Orders may diſcharge this Office. " And although in *Spain* they uſually take them from amongſt the Laity, yet " *Simancas* ſays, that poſſibly it would be better, that they ſhould be choſen " from the Clergy, becauſe they would want leſs than thoſe who have Wives and " Children; for the Salary is ſcarce ſufficient for one. They are alſo obliged " to regiſter in a certain Book, all the Commands of the Inquiſitors, given " to the Executors and Receivers, againſt Hereticks, and their Effects; " that if any Queſtion ſhould ariſe concerning theſe Things, they may be " able, from thoſe Regiſters, to determine it. Beſides, they muſt be con- " tent with their Salary, and receive nothing for their writing, except the " Notary of the forfeited Effects, who may demand his lawful Dues, becauſe " he hath no Salary. They muſt alſo travel at their own Expences within " their proper Province, to ratify the Depoſitions of the Witneſſes, the Proof " of the Defences, and the Exceptions againſt the Witneſſes, as it is contain'd " in a certain Decree of the Council." C. *ut Officium.* §. *ad conſcribendum.* de hæret. *lib.* 6. 2 *Inſtruct. Hiſpal. c.* 13. and 4 *Inſtruct. Tolet. c.* 18.

Pegna, *in direct. par.* 3. *com.* 20.

Heretofore the *Roman* Pontiffs made ſeveral Proviſions to ſupport Perſons to regiſter the Acts of the Inquiſition, becauſe the Inquiſitors were poor, and could not maintain a certain Notary, who ſhould be appropriated to this Buſineſs; ſometimes diſpenſing with the Clergy and Religious, who were Notaries before, that they might exerciſe the Office of Notaries in the Cauſe of the Faith; ſometimes allowing that two proper Perſons ſhould regiſter the Tranſactions, to whom full Credit ſhould be given. This was decreed by the Council of *Biterre*. Cap. IV. *Take Oaths from thoſe, who being thus cited before you, ſhall appear within the Time of Grace aſſigned, that they ſhall ſpeak as far as they know, the whole Truth, and nothing but the Truth, concerning the Fact of heretical*

*Pravity, either relating to themſelves, or others, the living or dead: and after having interrogated them carefully concerning all and ſingular the Matters worthy of Enquiry, either by your ſelves, or by the Writers, ſee that their Confeſſions and Depoſitions be faithfully written down, and placed in the Acts of the Inquiſition; either by ſome publick Perſon, if you can get one, or by any other that is proper and ſworn, to whom let another fit and ſworn Perſon be added, that thus ſuch Writings, whither by a publick Hand, or by two fit Perſons, as we have mentioned, being thus repoſited and written in the Acts, and recited to him who confeſſes and depoſes before the Inquiſitor and Notary, or the ſaid two proper Perſons, may obtain full Confirmation and Validity.* At that Time the Inquiſitors themſelves could not make Notaries, but were obliged to take the publick Notaries of the Biſhops, or of the temporal Lords of thoſe Places, in which the Office of the Inquiſition was committed to them, who were to make the Proceſſes, and to execute other Things pertaining to the Affair of the Faith. Or they might deſire the Pope to create for them two or three Perſons for Notaries of their own Nomination. As to thoſe who had been Notaries, the Inquiſitor could compel them to execute that Office, although they were become Religious, by a Bull of *Urban* IV. beginning, *Licet ex omnibus.* §. *ad conſcribendas.* But now by a Reſcript of *Pius* IV. beginning, *Paſtoralis officii cura*, given *An.* 1561. Cal. 6th *September*, it is provided, that the Inquiſitors and their Commiſſaries, in all Cauſes of Faith, may, when they think it neceſſary, by the Apoſtolick Authority, chuſe, aſſume, and create Notaries, one or more, either all Clergymen, or Regulars of any Order. However a Religious or Clergyman is not immediately created a Notary, when he is commanded by the Inquiſitor to write the Acts of the ſacred Office; but that all Things may be valid, he muſt create this Religious a Notary before ſome other Notary, before proper Witneſſes, Pen and Ink being regularly delivered to him, and a ſolemn Oath adminiſtred to him, with the cuſtomary Words, *Be thou a Notary and Faithful:* And of all theſe Things the Notary, who is preſent at this Creation, muſt draw up a publick Inſtrument. And although when they are firſt created Notaries, they take an Oath to do all Things faithfully, yet nevertheleſs as often as the Inquiſitors ſend for any Notaries afreſh, to write down the Acts of the holy Office, they muſt take a new Oath of them faithfully to execute their Office, and to preſerve the Secrets, which is peculiar in this Cauſe of Faith. So that if a Notary, or any other Miniſter of the Inquiſition diſcovers the Secret committed to him, he may not only be puniſhed, but condemned as guilty of Perjury, and fall into ſome Suſpicion of favouring Hereſy. [When the Notaries are thus created, the Prelates of the Orders can't remove or change them, ſince they are created by the delegated Authority of the Apoſtolick See; nor can the Delegates of the Apoſtolick See excommunicate them, by the Bull of *Urban* IV. beginning, *Ne Inquiſitionis.*]

Eymer, p. 3. qu. 18.

Pegna, Com. 67.

Com. 68.

Campeg. ad Zanch. c. 9.

" In *Spain*, even now, the Inquiſitors may, if there be Occaſion, create " another Notary, and pay him a juſt Salary, as is provided for by one of " the Letters of the Council. If he be ſworn to Secrecy, he is obliged " to give Security to the Promotor Fiſcal, and to the other Parties concerned,

Simanc. §. 8.

" and

" and to deliver in a written Account, of the Time of Condemnation, and " Commiſſion of the Crime. For they will not ſuffer the whole Proceſs to be " ſhewn, leaſt Suits ſhould ariſe from Suits, and the Secrets of the whole Cauſe " ſhould be diſcovered. For the Conſequence of this would be, that the " Names of the Witneſſes would be known by all, whereby their Safety would " be endangered, and many Exceptions would be urged againſt them by Slan- " derers. Proviſion was made againſt theſe Inconveniences, by a certain Let- " ter of the Inquiſitor General. Farther, all theſe Notaries muſt attend the " Tribunal of the Inquiſitors ſix Hours every Day. If any one offends in " his Office, he is to be puniſhed according to the Nature of his Crime by a " Fine, Suſpenſion of Office, Deprivation, or Baniſhment, to be moderated " at the Pleaſure of the Inquiſitor General and Council. *Epiſt. dat. Granat.* " *Sept.* 4, 1499. and 4 *Inſtruct. Tolet. cap.* 28, and 13.

§. 9. " The Writings of the holy Inquiſition are to be kept under three Keys, " which are to be in the Hands of the Promotor Fiſcal, and Notaries, nor " muſt they be read or ſhewn to any one, but in the Preſence of all. Beſides " theſe written Acts are to be carefully kept in the publick Hall of the Inqui- " ſitors, that they may be preſent, as often as there is need, nor may the " Notaries ſhew them to any one, nor remove them into another Place; and " if they are convicted of doing the contrary, they are to be removed from " their Office, without Hope of Pardon. However, the Inquiſitors, when " required by the Royal Judges, or by thoſe who have any Intereſt and Con- " cern in the Affair, muſt command the Notaries to give a Copy of the Pa- " pers, but ſo as that the Secrets of the Office, which muſt be kept concealed, " may not thereby be diſcovered, according to the Caution given by a Letter " of the Council. But a Copy of the Acts, which are uſually read in pub- " lick, may be given, *viz.* of the Confeſſions, Sentences, and other Things " of the like Kind, but of nothing more. 3 *Inſtruct. Valdolit.* c. 7. & 4 *Inſtruct.* " *Tolet.* c. 13.

Brunus, *l.* 4. *c.* 3. §. 11. " Theſe Notaries have their Subſtitutes, who ſerve them as Coadjutors in " writing, or taking Notes.

Carena, *p.* 1. *t.* 12. *n.* 7. *n.* 9. " As to the Salaries of the Notary, if they are certain, the Inquiſitors of " the holy Office uſually determine how much they are; if uncertain, they " can't exceed the Tax of the ſupreme Inquiſitors.

" In the Inquiſition of *Cremona* there is one Notary, choſen by the ſupreme " Inquiſitors at the Nomination of the Inquiſitor, who hath a certain Salary " of ſixty Pieces of Gold; which is afterwards uſually increaſed by Order of " the ſaid Inquiſitors to thoſe that have deſerved well; and one other regular " Notary choſen by the Inquiſitor himſelf. In the Dioceſe the Inquiſitor uſu- " ally deputes one Notary, to be preſent with the other publick Vicars.

CHAP.

## CHAP. VII.

### *Of the* JUDGE *and* RECEIVER *of the confiſcated Effects.*

" HE who is choſen Judge of the confiſcated Effects, muſt be an honeſt Simanc. " Man, and skilful in the Law, not of *Jewiſh* Extract, nor of the *tit.* 41. " *Mahometan*, nor of an heretical one, but one who may be capable of diſ- §. 4. " charging the Office of Aſſeſſor. His Office is, to judge between the Trea- " ſury and private Perſons, in Cauſes relating to the Effects of Hereticks. " But he may alſo take Cognizance between private Perſons, when their Cauſe " hath any Connection with the other. An Appeal lies from his Sentence to " the Senate, but not to any other Judges. But if the Diſpute is between the " Treaſury and the Church Defendant, or between Eccleſiaſtical Perſons, or " concerning the Revenues of Benefices, the Inquiſitors are to take Cogni- " zance of it, as is more fully contained in one of the Reſolutions of the Se- " nate. The Inquiſitor General, by Advice of the Senate, chuſes this Judge " and all the other Miniſters.

" He is generally called in *Spain* the Receiver, whom in *Italy* they call the Simanc. " Treaſurer of the holy Office. He receives the confiſcated Effects, and by *tit.* 43. " Command of the King is Procurator of the Treaſury, demands, defends, §. 1, &c. " and ſells the confiſcated Goods, and pays the Salaries and other Expences of " the holy Office. He who is choſen to the Office, muſt be an honeſt and " wealthy Perſon, capable of making up and reporting his Accounts, and " muſt give proper Sureties to pay all his Deficiencies. He is to be choſen " by the Inquiſitors, according to *Carena*, *p.* 1. *t.* 13. *n.* 1.

" It belongs to the Office of the Receiver to be preſent at the Sequeſtration " of Goods, which can't be done but by the previous Command of the Inqui- " ſitors. It muſt be performed by the Executor, in Preſence of the Receiver, " and Notary of the Sequeſtrations, and ſome other Notary; and all the " Goods of the Criminals, which are found in their Poſſeſſion, or are in the " Hands of others, are to be written down ſeverally in a Catalogue or Invento- " ry, two Copies of which are to be made out, each Notary to have one. " 2 *Inſtruct. Hiſpal. cap.* 8. All the Effects are to be deliver'd to the Sequeſtra- " tor, with an Inventory ſubſcribed by the Executor, and the ſaid Sequeſtra- " tor and the Notaries, one Copy of which is to be kept by the Notary of the " Sequeſtrations. The Sequeſtrator is to be choſen by the Executor and Re- " ceiver, who muſt be a ſufficient Citizen, not of kin to the Heretick, nor " of an evil Race. But when the Proceſs is formed againſt any Perſon dead, " his Effects muſt not be delivered to the Sequeſtrator, but taken an Account " of, and ſealed up, and left with the Poſſeſſors under good Securities. If any " other Perſons Effects are with thoſe of the Hereticks, they muſt be imme- " diately delivered to the Owners. Debts alſo muſt be paid out of the Effects " delivered in to the Sequeſtrator, without waiting for the Iſſue of the whole

" Cauſe

" Cauſe. Finally, if the Criminal be abſolved, all his Effects muſt be immediately delivered to him. 4 *Inſtruct. Tolet. cap.* 22. As to periſhable Effects, and which may grow worſe by keeping, and ſuch alſo as are too chargeable to keep, *viz.* Cattle and Slaves, the Receiver muſt ſell them by Command of the Inquiſitors, without whoſe Permiſſion nothing can be done.

" When the neceſſary Expences are deducted, the Surplus Money which remains out of the Sale of the Effects, is to be depoſited with the Sequeſtrator, of which the Receiver muſt touch nothing till the Criminal is condemned. As to other Things which may be kept, they are to be hired out at reaſonable Prices by the Receiver and Sequeſtrator. But theſe and other the confiſcated Effects, muſt not be ſold but by Auction, and then go to the beſt Bidder. The ſame is to be obſerved as to the Effects which are hired out. 2 *Inſtruct. Hiſpal. cap.* 9. In theſe Sales the Receiver muſt uſe great Fidelity and Diligence, and though he promiſes after the Rate of two or three *per Cent.* for the Recovery of any Effects, yet when they are recovered, he muſt allow only one.

" When the Heretick is condemned, the Sequeſtrator muſt immediately deliver all the Effects to the Receiver before two Notaries, nor can he receive or ſell any Thing but in their Preſence. But the Judge of the confiſcated Effects may at the Inſtances of the Receiver give Notice by the Criers of the future Auction. If any one thinks himſelf to be concerned in it, he may, when he knows the Effects are to be ſold, come to the Judge and demand his own, and ſue for his Right. If no one comes, the immovable Effects are to be ſold, and to be put up to Sale by Auction the thirtieth Day, after the publick Notices, and other cuſtomary Things of the City, before the Receiver and other Parties concern'd." 4 *Inſtruct. Tolet. Cap.* 24.

" As to thoſe Effects which are diſputed, they muſt not be ſold by the Receiver, till the Suit is finiſhed. As to Effects that are pawned, the Receivers may ſell them, not ſo as to prejudice the Right of the Creditors; but if the Effects amount to more than the Debt, they muſt be ſold, and the former Creditors firſt paid, and the Remainder carried into the Treaſury. 4 *Inſtruct. Tolet. Cap.* 23. However, the Sale of the forfeited Effects is not to be deferred upon Account of Actions, that do not appear to have any juſt Foundation, but ſuch Effects are to be ſold, and ſuch a Sum muſt be depoſited in the Sequeſtrator's Hands, that is equal to the Value of the Debt ſued for, and the Charges of the Suit. Farther, if there be any Effects which are to be in common between the Treaſury and others, they muſt be divided, if it can be done conveniently: If it cannot, and it appears better to ſell them entire and without Diviſion, the Treaſury hath the Privilege to order all of them to be ſold by the Receiver, although the leaſt Part belongs to it, but muſt receive no more than its proper Debt, and pay the Remainder to the other Creditors." 4 *Inſt. Tolet. Cap.* 23.

" The

" The Receivers muſt omit none of theſe Things; if they do they incur " the Sentence of Excommunication, and are to be fined 100 Pieces of Gold, " and make good all Loſſes to the Treaſury. *eod. cap.* 23.

" The Receivers of one Province muſt not ſeize on the Effects of Here- " tieks which belong to other Receivers, but give them more certain No- " tice of ſuch Effects; otherwiſe they are deprived of their Office, and pay " the Loſs, and double more. 2 *Inſtruct. cap.* 2.

" All the Monies received by the Sequeſtrator, and the Money that ariſes " from the Sale of the Effects, the Receivers muſt depoſit within three Days " after into the publick Cheſt, which muſt be locked up with three Keys, " which the holy Senate hath ordered under Excommunication, and a Fine.

" The Receivers of the Treaſury can't forgive any Monies to Debtors, " and if any are forgiven by them they are reclaimed; nor can they make any " Bargain or Compoſition with them. 4 *Inſtruct. c.* 23.

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## CHAP. VIII.

### *Of the* EXECUTOR *and* OFFICIALS *of the* INQUISITION.

" THE Executor is he who executes the Commands of the Inquiſitors. Simanc. " His Office is principally to apprehend and keep in Cuſtody Crimi- *tit.* 41. " nals, whom he is obliged to purſue, if they are at a Diſtance, and to put §. 5. " in Irons, and to be content with his appointed Salary. But if it be needful for " the Familiars to attend him, they muſt have a Salary appointed by the " Inquiſitors, to be paid by the Receiver out of the Treaſury. And as he is " a mere Executor of a Command, he muſt carefully keep within his Bounds, " and punctually execute the Order of the Judges. Theſe they alſo call Ap- " paritors and Purſevants. 4 *Inſtruct. Tolet. cap.* 26."

Their Office is the ſame with theirs who are otherwiſe called Officials, Bzovius, concerning whom *Innocent* IV. hath ordained theſe Things, by a Conſtitu- *a.* 1252. tion, beginning, *Ad extirpanda*, as they are all placed in Order, in a Book §. 3. entitled, *The Manner of proceeding againſt Hereticks*, aſcribed to *John Calderine.*

*Let the Governor or Ruler be obliged, within three Days after his Entrance into his Government, to appoint twelve honeſt and Catholick Men, and two Notaries, and two Servitors, or as many as ſhall be neceſſary, whom the Dioceſan, if preſent, and willing to be concerned, and two Friars Predicants, and two Minorites deputed to this Service by their Priors, if there ſhould be there Convents of the ſaid Order, ſhall think proper to be choſen. Such Perſons, when appointed and choſen, may and ought to take up heretical Men and Women, to ſeize on their Effects, and to cauſe them to be ſeized on by others, and to cauſe that theſe Things be fully done, as well in the City,*

*as in his whole Jurisdiction and District, and to bring them, and cause them to be brought into the Power of the Diocesan, or his Vicars.*

*Let their Office continue only during six Months, after which let the Governor be obliged to substitute so many other Officials according to the prescribed Form, who may execute the foresaid Office according to the said Form for the six Months next following.*

*But let them not be compelled to any other Office or Employment, that doth or may in any manner hinder the said Office, nor let any Statute made, or to be made, hinder by any Means their Office.*

*Let full Credit be given to these aforesaid Officials concerning all Things which are known to belong to their Office, without requiring from them any special Oath, or admitting any Proof to the contrary, when two or more of them shall be present. Farther, when these Officials are chosen, let them swear to execute all these Things faithfully, and according to their Power, and to speak nothing but the Truth concerning all these Things, so that they may be more fully obey'd in all Things appertaining to their Office, and let the said twelve and their Servitors, and the before appointed Notaries, together, or separately, have full Power of commanding, upon Pain of Punishment and the Ban, all Things appertaining to their Office, and let the Governor or Ruler be obliged to confirm and ratify all their Commands which they shall give relating to their Office, and punish those who don't observe them.*

*Farther, let the Governor be obliged to send with their Officials, one of his Soldiers, or some other Assistant, if the Diocesan, or his Vicar, or the Inquisitors deputed by the Apostolick See, or the said Officials shall demand it; and let such Soldier faithfully execute their Office with them. Let every one also, if he be present, or required, whither in the City Jurisdiction or District, be obliged to grant to these Officials, or their Companions, Counsel and Assistance, when they will apprehend, seize the Effects of, or make Inquiry concerning any heretical Man or Woman, or enter into any House or Place, or Passage, to take Hereticks, under the Punishment of 25 Imperial Pounds, or the Ban. Let every corporate Town be obliged to it under the Penalty of an 100 Pounds and Ban, and a Village under the Penalty of fifty, to be paid every time in ready Money.*

*Alexander* IV. *An.* 1255. wrote to the Inquisitors of *Liguria* *, and *Insubria* †, *That the aforesaid Officials may command any City, Borough or Village, under the Penalty and Ban of* 1200 *Marks of Silver and more, at the Pleasure of the Governor of such Place, that they shall present, within a competent Time fixed, to the Governor, or Diocesan, or his Vicar, or the Inquisitors of Hereticks, all heretical Men and Women, which the said Officials shall signify to them. And the Governor of such Place shall be obliged to exact this Punishment from all who do not observe this Order.*

*Innocent* IV. adds in the same Bull, *That if any Loss shall at any Time happen to the said Officials in their Persons and Effects, in executing their Office, they shall be indemnified with full Restitution by such City or Place, and that the said Officials, or*

* Containing the Towns of *Genova, Nizza, Vintimilia, Albenga, Polenza, Alba, Aste, Aich, Tortona,* and *Voghera.*

† Containing *Milan, Lodi, Crema* and *Monza.*

*their*

*their Heirs, ſhall not at any time be ſued for any Thing they have done, or belonging to their Office, any farther than as the ſaid Dioceſan and Friars think fit.*

*And if the aforeſaid Dioceſan or Friars ſhall think fit to remove any one of the ſaid Officials for being unskilful or improper, or for any Engagement, or Exceſs, the Governor or chief Officer ſhall be obliged to remove him at their Command and Appointment, and to ſubſtitute another in his Place, according to the preſcribed Form.*

*But if any one of them ſhall, contrary to his Oath, or Duty of his Office, be found to have favoured Hereſy; beſides the Mark of perpetual Infamy which he ſhall incur as a Favourer of Hereticks, let him be puniſhed by the Governor or chief Officer, at the Pleaſure of the Dioceſan of the Place and the ſaid Friars.*

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## CHAP. IX.

### *Of the* FAMILIARS, *or* ATTENDANTS.

*INnocent* III. granted large Indulgences and Privileges to thoſe, who ſhould accompany or aſſiſt the Inquiſitor in his making Inquiſition againſt and puniſhing Hereticks, that this newly appointed Office might have the more happy Succeſs. Hence the Soldiers, who were Aſſiſtants and Helpers to the Inquiſitor, were commonly called Familiars *, as belonging to the Inquiſitor's Family. In ſome Provinces of *Italy* they are called Croſs-bearers, and in others the Scholars of St. *Peter* the Martyr, and they ware a Croſs before them upon the outſide Garment.

† Anciently certain Perſons were appointed, whoſe Office it was to uſe all Diligence in ſearching out Hereticks, and to this Purpoſe they applied the Decree of the Council of *Biterre*, *cap.* 34. *In all Pariſhes, as well within Cities as without them, let one Prieſt, or two or three of the Laity of good Reputation, or more if need be, be bound by Oath to remove and change, as often as it ſhall ſeem good to* Pegna, *prox. Inq. c.* 5. §. 3.

* The Familiars are the Bailiffs of the Inquiſition, which, tho' a vile Office in all other Criminal Courts, is eſteemed ſo honourable in this of the Inquiſition, that there is not a Nobleman in the Kingdom of *Portugal* that is not in it, and ſuch are commonly employed by the Inquiſitors to apprehend People. Neither is it any wonder that Perſons of the higheſt Quality deſire to be thus employed, ſince the ſame plenary Indulgence is granted by the Pope to every ſingle Exerciſe of this Office, as was granted by the *Lateran* Council to thoſe who ſuccoured the Holy Land. Dr. *Geddes Tracts, Vol.* I. *p.* 425, 426.

† When the Familiar is ſent for to apprehend any Perſon, he hath the following Order put into his Hand. *By the Command of the Reverend Father* N. *an Inquiſitor of heretical Pravity, let* N. *be apprehended and committed to the Priſons of this holy Office, and not be releaſed out of them, but by the expreſs Order of the ſaid Reverend Inquiſitor.* And if ſeveral Perſons are to be taken up at the ſame time, the Familiars are commanded ſo to order Things, that they may know nothing of one another's being apprehended. And at this the Familiars are ſo expert, that a Father and his three Sons, and three Daughters, who lived together in the ſame Houſe, were all carried Priſoners to the Inquiſition, without knowing any Thing of one another's being there until ſeven Years afterwards, when they that were alive came forth in *an Act of Faith. Geddes, Vol.* I. *p.* 429.

*you,* (the Inquiſitors) *who diligently, faithfully and frequently may ſearch out Hereticks in Villages, and find them when out of their Houſes, their ſubterraneous Shelters, Huts and Faſtneſſes, and all other their hiding Places, all which let them cauſe to be* §. 4, 5. *ſtopped up or deſtroyed.* " The Familiars or Croſs-bearers are now in their " Room; and they are then eſpecially in Service, when the Biſhops or In- " quiſitors have Dioceſes bordering upon and near to the Lands of Hereticks, " or Perſons ſuſpected of Hereſy, ſo that a mutual Commerce can ſcarce be " avoided amongſt them. For as then they may more reaſonably be afraid, " leſt thoſe who are ſubject to them, and belong to their Juriſdiction, ſhould " be infected and corrupted by Hereticks, they ought to uſe the ſtricteſt Di- " ligence to know with whom Hereticks lodge, and into whoſe Houſes they " are received; and whither any ſubject to them go to the neighbouring " Towns of Hereticks, and for what Cauſe, and whither they have brought " from thence the Poiſon of heretical Pravity by Doctrines they have heard " or read." So careful are they upon every Occaſion, that there ſhall not be the leaſt Diſpute about any of the Doctrines of their Church.

But now the Familiars always accompany the Inquiſitors in *Spain*, even *Tit.* 41. though they are free from the Danger which *Pegna* was ſo very ſolicitous §. 15. about. *Simancas* deſcribes to us their Offices and Immunities.

" The Familiars or Attendants are neceſſary to accompany the Inquiſitors, " and to defend them, if Need be, from the Inſults of Hereticks; and to fol- " low the Executor when going to apprehend Criminals; and to do other " Things which the Judges ſhall think proper to fulfil the Duty of the holy " Office of the Inquiſition. The Familiars are allowed to uſe Arms, but " muſt not abuſe them. Such as are to be choſen, muſt be good, peaceable, " and married Men, as it is provided by a certain Letter of the Council; and " no more muſt be admitted but what the Neceſſity of the Office requires. " *Clement.* 2. §. *ult. de hæret.*

§. 16. " And becauſe the Familiars have no Salaries, and no one is bound to ſerve " for nothing, 'tis neceſſary that certain Privileges ſhould be granted them, in " which Matter there have been ſeveral Alterations by the Royal Commands, " they having ſometimes had Immunities allowed them, and at other Times " been deprived of them, becauſe of their Exceſſes, and unruly Multitude. " At length, by the King's Command, certain of the Royal Council and the " Senate of the holy Inquiſition met together, and publiſhed a Conſtitution, " by which certain Immunities are granted to the Familiars, their Number " fixed, and the Manner preſcribed, in which the Differences and Contentions " that may ariſe between the Inquiſitors and royal Judges, upon account of " the Familiars, are to be ſuppreſſed and determined. 4 *Inſtruct. Toled. c.* 5. " *Conſtitut. Royal,* publiſhed *March* 19, 1553.

§. 17. " And firſt as to the Number of Inquiſitors, 'tis appointed, that in the City " of *Toledo* there ſhall be 50 Familiars choſen by the Inquiſitors, as many at " *Seville*, and 50 in *Granada*, and no more; 40 in *Corduba*, *Cuenca*, and *Val-* " *ladolid*; at *Calahorre* and *Ilerena* 25; in the City of *Murcia* 30; in every " Town where there were 3000 Burgeſſes, ſix, in all others of 500 Burgeſſes,

" four; in other leſſer Towns two only in each. But in every Sea-port or
" Frontier Town four may be choſen. If more are choſen they have no
" Privilege.

" By the ſame Conſtitution 'tis provided, that in every Province there §. 18.
" ſhould be given in to the Conſiſtories of the ſeveral Cities a Liſt of the Fa-
" miliars, that the Governors and Magiſtrates may know them, and ſee that
" they don't exceed the Number; and that if they are quarrelſome, or unworthy
" their Office, they may report it to the Inquiſitor General and Council;
" which is alſo to be done when any one is put into the Room of another Fa-
" miliar. 'Tis farther appointed, that in all Civil Cauſes the Familiars ſhall be
" cited before the ſecular Judges as much as if they were not Familiars.

" But in Criminal Cauſes the Familiars are exempted from the Juriſdiction §. 19.
" of the ſecular Judges, and are to be puniſhed by the Inquiſitors, except in
" the Caſe of Treaſon, and the Crime againſt Nature, Rebellion and open
" Sedition. Likewiſe the Familiars are to be puniſhed by lay Judges, if they
" offend againſt Letters of Safety granted by the Prince, if they obſtinately
" oppoſe the Royal Commands, if they betray and raviſh Women, if they
" are publick Thieves, Breakers open of Churches, Monaſteries, or other
" Houſes, or if they ſet them on fire, or commit any other greater and more
" heinous Crimes than theſe, or if they inſolently and obſtinately contemn the
" royal Judges, or if they reſiſt them, or if being themſelves in ſecular Offices
" they commit any Offence therein.

" Farther, the ſecular Judges may take up the Familiars for thoſe Crimes, §. 20.
" the Cogniſance of which belongs to the Inquiſitors, but muſt immediately
" ſend them to their proper Judges, with a ſummary Proof of their Offences,
" at the Coſt of the criminal Familiar. 'Tis likewiſe provided by the ſame
" Conſtitution, that as often as the Familiars offend in any City or Place
" where no Inquiſitors reſide, they ſhall be ſo often obliged to ſhew to the
" Judges of the Place, where the Familiar hath committed his Offence, a
" Copy of the Sentence pronounced by the Inquiſitors againſt him, with a
" publick Teſtimony that he hath ſatisfied the Sentence pronounced againſt him
" for his Crime.

" But if any Difference ariſes between the Inquiſitors and ſecular Judges §. 21.
" concerning the Cognizance of any Offence committed by a Familiar, the
" Cauſe muſt be referred to the Royal Court, with a ſummary Proof of the
" Crime, that upon hearing the Caſe by two royal Counſellors, and two others
" of the Senate of the holy Inquiſition, the Cauſe may be remitted to thoſe
" Judges to whom the Cognizance of it ſhall appear to belong, ſimply, with-
" out Noiſe and Form of Judgment. And from this Sentence there muſt be
" no Appeal. Farther, if theſe ſupreme Judges ſhall diſagree to whom to ſend
" the Priſoner, and three of them ſhould not be of the ſame Opinion, the
" King muſt be conſulted. In the mean while the Familiar muſt be kept in
" Cuſtody by that Judge who took him up; but his Trial muſt be deferred
" till he is ſent to his proper Judge, to whom, upon a Declaration made, he
" muſt be immediately reſtored, though he ſhould happen to have been

" put

" put in Chains by another Judge. Thus far the royal Conſtitution, dated " the 10th, and confirmed the 19th of *March*, 1553.

We read of a famous Caſe of this Nature, concerning Juriſdiction between the Inquiſitors and ſecular Judge in *Nicholas Rodrigues Fermoſino*, which is added to his Treatiſes of Judgments, *&c.* This *Fermoſino* was in the Office of Counſellor of the Treaſury, in the Inquiſition of *Valladolid*, and created Inquiſitor, and by King *Philip* IV. made Judge of the confiſcated Effects of the ſaid Inquiſition. The Caſe was this: The Magiſtrates of *Valladolid* order'd rough Walls to be built, to prevent Travellers coming into the City for Fear of the Plague. *Antonius Moreno*, Governor of the Houſe of Penance, in that City, and his Aunt *Mariana de Pareda*, formerly Wife of a certain Secretary of the Inquiſition at *Ilerena*, obſtructed this Building. And therefore *Jerom Antony de Toreſillas*, Mayor of the City, took both of them out of the Houſe of Penance, *An.* 1648. 3d Cal. of *Auguſt*, and put them in the common Jail, and laid them in Irons. The Inquiſition demanded of him three Times, that he would releaſe the Priſoners, and ſend them back to the Tribunal of the Inquiſition, as their competent Judge, with all the original Acts and Proceſs. The Mayor firſt ſaid he would reſtore them, but afterwards declared that he would not deliver them over, but under this Condition, that the Tribunal ſhould proceed to no other Proceſs. The Inquiſition was not ſatisfy'd with this, and the Affair was greatly conteſted on both Sides. The Inquiſition ſent their Orders to the Mayor, and the Mayor, by his Anſwers, oppoſed the Orders and Commands of the Inquiſition. At laſt, the Diſpute ran ſo high, that the Inquiſition, after a declaratory Injunction, laid him under Excommunication and the Anathema; and becauſe he continu'd to exerciſe every Act of Juriſdiction, they put him under a general local Interdict. But this made no Impreſſion on him; for he anſwer'd, That the Tribunal of the Inquiſition had no Juriſdiction over him; and that whilſt the Diſpute was to whom the Cognizance of the Priſoners belonged, their Excommunication could not touch him, eſpecially as he had appealed from all Cenſures of the Inquiſition. At length the Inquiſition prepared to publiſh the Order for Ceſſation of divine Services. But the Royal Court, to put an End to this troubleſome Difference, commanded the Mayor to diſmiſs his Priſoners; and the Tribunal of the Inquiſition, to deſtroy all the Acts and Proceſs againſt the Mayor, to grant him Abſolution, and remove the Interdict. But the Inquiſition was not ſatisfy'd in this; but by *Fermoſino*, their Fiſcal Advocate, prayed the King, That the Mayor might be ſeverely puniſhed, adding this Reaſon, leaſt a Way ſhould be opened to infinite Contentions and Extorſions of the like Nature; eſpecially ſince the other Judges will every Day, conſidering theſe Things went unpuniſhed, urge many frivolous Reaſons for not acknowledging any of the Cenſures of this Tribunal, in Contempt of Juſtice.

CHAP.

## CHAP. X.

### *Of the* CROSS-BEARERS.

BESIDES theſe Familiars, there is another Sort of them, called Croſs-Bearers, inſtituted by *Dominick*, to whom he gave ſuch Conſtitutions and Laws for their Direction, as obliges them vigorouſly to proſecute Hereticks, and when there is Need, to endeavour, with the greateſt Violence, their Deſtruction. Campeg. *in* Zanch. *cap.* 9. *f.* 241. *cap.* 1. " They make a Vow between the Hands of the Inquiſitors to " defend the Catholick Faith, though with the Loſs of Fortune and Life; " and may be compelled to perform their Vow. The Popes have honoured " this Fraternity with many Graces, Indulgencies and Favours," which may be ſeen at large in *Campegius*. *Bernard Comenſis* gives us the Main of them in his *Light of the Inquiſitors*.

" Their Indulgence is, (1.) Their having a plenary Remiſſion of all their " Sins. This was granted by *Alexander* IV. in a Privilege beginning, *Præ* " *cunctis*, and by *Gregory* IX. and *Clement* IV. and alſo by the *Extravagants* " *de hæret.* Cap. *Excommun.* §. *Catholici vero.* But upon this Condition, " that they vigorouſly proſecute their Vow in aid of the Inquiſition, even to " Death. (2.) Every ſuch Croſs-Bearer may be abſolved by the Inquiſition, " from every Sentence of Excommunication, Suſpenſion and Interdict of a " Canon; and from thoſe eſpecially which he may have incurred for the " burning of Churches, or laying violent Hands on Eccleſiaſtical Perſons, " and from all other Sentences generally promulgated by the Apoſtolick See. " (3.) The Inquiſition may diſpenſe with theſe Croſs Bearers, if of the Clergy, for all Irregularities they may have contracted by celebrating divine " Service, when under any canonical Sentence. (4.) All their Vows may be " commuted for by the Inquiſitors; thoſe only excepted of the holy Land, " and which are perpetual. (5.) The Inquiſitors may allow them to be preſent at Divine Services, and to receive the Eccleſiaſtical Sacraments in ſuch " Places where, by the Apoſtolick Indulgence, they are allow'd to be adminiſtred, in the Time of a general Interdict. All theſe Things appear by " a Privilege granted by *Innocent* IV. which begins, *Malitia hujus temporis.*" *In voce Indulgentia cruce ſignatorum.* Theſe Privileges were confirmed by *Pius* V. by his Conſtitution, beginning, *Sacroſanctæ Romanæ & univerſali Eccleſiæ*, dated *October* 13, 1570. ſo far as they are not repugnant to the Decrees of the Council of *Trent*.

From theſe Privileges it appears, that when the Faithful are to take the Croſs, their Vow muſt be made only before the Inquiſitors or their Vicars; and that they receive no Advantage from them, unleſs they have the Inquiſitors Leave. Theſe Things and the like, *Campegius* thinks, ſhould be preach'd to the Croſs-Bearers, leaſt they ſhould pretend Ignorance. Campeg. *cap.* 37. *fol.* 262. *verſo.* " For he ſaith, That " he diſcovered many Errors and Abuſes of theſe Croſs-Bearers, in a City, " within his Province of the Inquiſition; for he found a large Number of them,

" who did not enter into this Warfare by the Door, nor receive the Croſs " from any Inquiſitor or Vicar; but that the very Laicks, the Miniſters of " this ſame Fraternity, whom they call Officials or Maſſaries *, wrote the " Names of others that came to them in the Book of the Croſs-Bearers; and " thus unjuſtly invaded the Province of the Inquiſition. He adds moreover, " *Not being able to bear this, I made a Sermon on the Croſs, in the Cathedral, ac-* " *cording to the ancient Stile of the Inquiſitors, granting the uſual Indulgence to* " *the Auditors; and publickly admoniſhed them of their publick Error, and parti-* " *cularly explain'd what they ought hereafter to do; who upon diſcovery of the* " *Truth, ſubmitted, after many Diſputes, and the Advice of Advocates. For they* " *would have had, even againſt my Will, that ſome of theſe ſhould have aſſiſted* " *at the Examinations, as though it belonged to them of right. Whereas I declared,* " *That the Inquiſitor was the Head and Captain of the Croſs-Bearers, and there-* " *fore would not have them preſide over the Inquiſitors, but according to Equity* " *be ſubject to it.*

Lucerna *Inquiſ.* " The Office of thoſe Croſs-Bearers is to provide the Inquiſitors with " Neceſſaries; ſo that they are excommunicated if they refuſe to give Money " to the Inquiſitor, when he aſks and wants it for the Service of the Office of " the Inquiſition; becauſe private Perſons, who have bound themſelves by " Oath or Vow, are even by Omiſſion ſaid to be Favourers, *viz.* if they " do not manifeſt, or perform what they have promiſed by Vow.

The Ceremonies they uſe when they take the Croſs on them, are accurately deſcribed by *Campegius.*

## *The Inſtruction of* Campegius *concerning the Manner of Signing with the Croſs.*

Tr. tr. *tom.* xi. *p.* 2. *fol.* 269. *verſo.* " WHoever from his Affection to the Catholick Faith, will take the Croſs, " let him be diligently inſtructed by the Inquiſitor, or his Vicar, " concerning the Bond of his Vow, and the Weight of his Obligation. Let it " be eſpecially declared to him that he ſhall be bound not only to part with all " his outward Eſtate, but even to give up his Life for the moſt holy Faith, at " the Command of the Inquiſitor or his Vicar; and that having once taken " the Croſs by Vow, he ſhall not lay it down without the ſpecial Diſpen- " ſation of the Pope. If he be found ready to obſerve all theſe Things, the " Inquiſitor or his Vicar may admit him to the Vow of the Croſs. And " becauſe the Croſſes given are firſt to be bleſſed, therefore we appoint this " Form of Benediction.

Verſ. *Our Help is in the Name of the Lord.*
Anſw. *Who made the Heavens.*
Verſ. *Lord ſhew us thy Mercy;*
Anſw. *And grant us thy Salvation.*

* A Sort of Houſe-keepers, who looked after the Goods and Furniture of the Monaſteries.

Verſ.

Verſ. *The Lord be with you,*
Anſw. *And with thy Spirit.*

Let us pray.

*ALmighty and everlaſting God, who haſt conſecrated the Sign of the Croſs with the precious Blood of thy Son, and by the ſame Croſs and Death of thy Son Jeſus Chriſt haſt redeemed the World, and by the Virtue of the ſame venerable Croſs, haſt deliver'd Mankind from the Tyranny of the old Enemy; we humbly beſeech thee, that thou wilt vouchſafe to bl† eſs this Croſs, and grant unto it an heavenly Virtue and Grace, that whoſoever ſhall bear it on him may merit a Plenitude of heavenly Grace, and to have Chriſt for his Protector, againſt all the Enemies of his Soul and Body, who with thee lives and reigns, World without End.* Amen.

" The Croſs thus bleſſed, he who is to be ſigned with it, kneeling before " the Inquiſitor or his Vicar, thus reverently declares his Vow.

*I* N. *Vow to God, and the bleſſed* Mary, *and the bleſſed* Peter *the Martyr, that I will receive and carry the Croſs, to the Honour of Jeſus Chriſt our Lord, the Advancement of the Catholick Faith, and to the Extirpation of Hereticks and their Favourers, throughout all the Dioceſe of* F. *And I promiſe to expoſe my temporal Subſtance, and my proper Life, for the Defence of the Faith, when there ſhall be need, and I ſhall be ſo required to do; and that I will be obedient to the Reverend Father Inquiſitor, his Succeſſors or Vicars, in all Things appertaining to the Office of the Inquiſition.*

" This done, the Inquiſitor or his Vicar gives him a red Croſs bleſſed, " ſaying," *Receive the Sign of the Croſs of our Lord Jeſus Chriſt, in the Name of the † Father, and the † Son, and the Holy † Ghoſt, as the Figure and Memorial of the Croſs, Paſſion and Death of Jeſus Chriſt our Saviour, for the Salvation of thy Soul and Body, and the Defence of the Catholick Faith, that the Favour of the Divine Goodneſs may bring you to the heavenly Kingdom.* Amen.

A Prayer to be ſaid over him that takes the Croſs.

Verſ. *Lord ſhew us thy Mercy;*
Anſw. *And grant us thy Salvation.*
Verſ. *The Lord be with you,*
Anſw. *And with thy Spirit.*
Verſ. *Lord hear my Prayer;*
Anſw. *And let my Cry come up unto thee.*

Let us pray.

*GRant the Right-hand of thy heavenly Aid, O Lord, to thy Servant, whom, for the Glory of thy Name, thou wouldſt have mark'd with the Sign of the moſt holy Croſs, and be a Defender of the holy Faith againſt perfidious Hereticks, that he may ſeek thee with his whole Heart, manfully defend the Catholick Faith, and may attain what he worthily ſeeks after; ſo that when he hath finiſhed his Warfare, he may merit to be a Co-heir of the Kingdom of thy Son, through the ſame Lord Jeſus Chriſt*, &c.

## *The Manner and Form of abſolving theſe Croſs-Bearers in the Article of Death.*

*fol.* 270. *THE Lord Jeſus Chriſt, who ſaid to his Diſciples*, Whatſoever Things ye ſhall bind on Earth, ſhall be bound in Heaven; and whatſoever Things ye ſhall looſe on Earth ſhall be looſed in Heaven, *of which Number, though unworthy, he hath made me one; he abſolveth thee, by my Miniſtry, from all thy Sins, whatſoever thou haſt committed, in Thought, Word, or Deed; and as far as 'tis permitted to my Weakneſs, by the Authority of the ſame, our Lord Jeſus Chriſt, and of the bleſſed Apoſtles*, Peter *and* Paul, *as alſo of our Lord Pope* Urban III. *and according to the Privileges which the* Roman *Pontiffs have granted to the Office of the Inquiſition, and by Virtue of the Privilege of Pope* Innocent IV. *of which this is the Tenor*; That you, and ſuch faithful Perſons, who have taken the Croſs for the Sake of this Vow, may receive a large Recompenſe of Reward; we give you that Indulgence and that Privilege, which are given by a general Council to ſuch who go for the Recovery of the Holy Land, *by Virtue of this Indulgence and Privilege, which* Clement IV. *and* Clement VI. *or any other* Roman *Pontiffs have vouchſafed to all Croſs-Bearers, who perſevere to the End of Life, in the Vow of the Croſs which they have taken, and give their Aſſiſtance to the Inquiſitors, for the Defence of the Catholick Faith, by which is granted to them, in the Article of Death, plenary Indulgence and Remiſſion of all Sins: I abſolve thee from every Sentence of Excommunication, Suſpenſion and Interdict, and reſtore thee to the Sacraments of the holy* Roman *Church. By the ſame Authority I abſolve thee from all and ſingular thy Sins, for which thou art contrite in Heart, and which thou haſt confeſſed with thy Mouth; and I grant thee full Remiſſion of thy Sins, as far as 'tis agreeable to the Divine Majeſty, that thou mayeſt be abſolved before the Tribunal of our Lord Jeſus Chriſt, and receive eternal Life, and live for ever.* Amen. *In the Name of the † Father, and the † Son, and the Holy † Ghoſt.* Amen.

Param. *l.* 2. *t.* 3. *c.* 3. *n.* 7. Theſe Croſs-Bearers were heretofore of great Uſe to the Inquiſitors. But in Proceſs of Time, as there was no need of Arms to ſubdue Hereticks, the Name of this Warfare grew into diſuſe; and with the Change of ſome of their Conſtitutions, they were called, Of the Penance of St. *Dominick*, in ho-

nour

nour of their Founder. This Religion is the Third of those instituted by *Dominick*, the Constitutions of which have been confirmed by the *Roman* Pontiffs.

## CHAP. XI.

### *Of the* VISITORS *of the* INQUISITORS.

" AS the Offices of the Inquisitors and other Ministers were perpetual, Simanc. " it was necessary, that sometimes they should give an Account of tit. 41. " their Behaviour. Therefore there was a Magistrate created to visit the §. 27, 28. " Inquisitors, and all the other Ministers, who was called the Visitor. His " Office was to visit all the Provinces of the Inquisitors, and report to the " Inquisitor General and Council whatever was proper to be amended. He " was strictly to keep to his Instructions, not to be the Guest of those he visited, " nor to receive any Thing from them himself, or by others. If one was not " sufficient they might chuse more." *Simancas* adds, That his great Uncle, *Francis Simancas*, Archdeacon of *Cordova*, enjoy'd this Office without any Colleague. But now they appoint Visitors privately, as often as it is any where necessary. 4 *Instruct. Tolet. c.* 3.

" All the Ministers of the holy Inquisition are obliged to swear before the §. 30. " Inquisitors and Bishop, or his Vicar, that they will faithfully discharge the §. 31. " Trust committed to them. The Inquisitors, Counsellors, and others also " swear, that they will faithfully conceal all Secrets, which if any one dares " to discover, he is to be deprived of his Office, and to suffer other Punish- " ments, according to the Nature of his Crime.

" 'Tis also part of their Instructions, that the Inquisitors, and all other §. 35. " Ministers, shall serve in their Offices, by themselves, and not by their Sub- §. 36. " stitutes; the Ministers are not to absent themselves without Leave of the In- " quisitors, which must not extend to above twenty Days. If any one is long- " er absent, or goes without Leave, he must be deprived of his Salary, his " Absence is to be noted, and his Salary not paid by the Receiver, without " first inspecting the Book of Defaults, according to several Letters of the " Council.

" Farther, no one must be a Minister of this holy Office in any Province §. 38. " where the Inquisitor is either kin to him, or his Lord. 'Tis also prohi- " bited for any Minister to intermeddle in any Negociation, either by him- " self or others. He who contravenes this Order is to be deprived of his " Office, and fined 20000 Peices. He who doth not discover this is be ex- " communicated. 4 *Instruct. Tolet.* Cap. 12. and at the End of all the written " Instructions, and the printed ones, *fol.* 21.

" If any lesser Crime be committed by those Ministers, they may be punish- §. 35. " ed by the Inquisitors. If their Offence be more grievous, it must be re-

" ported to the Inquiſitor General and Council, that if the Caſe requires it,
§. 40. " they may be deprived of their Office. 1 *Inſtruct. Hiſpal. c.* 27. 'Tis al-
" ſo prohibited by the ſame Inſtructions for any one to be in two Offices, or
" enjoy two Salaries. 4 *Inſtruct. Tolet. cap.* 18.

## CHAP. XII.

### *Concerning the Duty or Power of every* MAGISTRATE.

THUS far we have treated of the Miniſters which belong to the Inquiſition of Hereticks. The Civil Magiſtrate hath no Part in this Affair; for he is entirely excluded from all Cognizance of the Crime of Hereſy. Thus
*Tit.* 36. §. 1. *Simancas* teaches: " The Cognizance of Hereſy ſolely belongs to the Eccleſiaſtical Judge, becauſe this is a Crime committed againſt the Faith and " Religion; for as to thoſe Crimes which the ſecular Adminiſtration knows " nothing of, and which are declared ſuch by the Chriſtian Religion, ſuch as " Hereſy, Schiſm, and others of the like ſort, the Eccleſiaſtical Judge only " hath Cognizance of them. And therefore to whatſoever Branch of the ſe- " cular Judgment the Cognizance of ſuch Crimes may at any time happen, it " muſt be immediately referred to the Eccleſiaſtical Judges.

§. 2. " It is more largely forbidden by the royal Laws at this Day in *Spain*, " that no one of the ſecular Judges, of whatſoever Dignity and Power, ſhall " by any Means preſume to take Cognizance even of thoſe civil or criminal " Cauſes which belong to the Inquiſitors, and the Judges of forfeited Effects; " no not under Pretence of relieving Perſons oppreſſed by Violence, which, " in other Caſes, would be a moſt wholeſome and preſent Remedy to redreſs " the Grievances of the Eccleſiaſtical Judges. However, if any will appeal " in the before-mentioned Cauſes, they muſt apply to the Council of the holy " General Inquiſition. This royal Command was dated at *Burgos*, *March* 7, " 1508. and renewed 1553."

However, they ſtand in need of the Arms and Power of the Magiſtrate, for the Puniſhment of Hereticks, and that they may execute the Sentences pronounced againſt them. For 'tis not lawful for Eccleſiaſtical Perſons to kill any one. Therefore they deſire to have all Magiſtrates obedient to their Beck and Commands, and to have no Liberty of Conſcience granted by them to Hereticks, but inſiſt on their being ready and prepared to draw their Swords
*Comment. in* Mat. xiii. 26. againſt Hereticks at the Pope's Command. This is the Doctrine of *Maldonet*, explaining the Parable of the Tares ſown amongſt the Wheat. For after he hath ſaid that the *Calviniſts* and *Lutherans* are to be cut off as manifeſt Hereticks, he adds theſe Things: *Not that I ſpeak thus, as though I had not rather have them converted than put to Death. All that I intend is to admoniſh Princes, or becauſe Princes may not read theſe Things, thoſe who can adviſe them, that 'tis not*

*lawful*

*l awful for them to grant Hereticks those Liberties of Conscience, as they are called, too much in use, in our Days, unless first of all the Church, or the* Roman *Pontiff, who is the Head of the Church, the Person of Christ, and as it were the Father of the Family, shall judge, that the Tares cannot be plucked up unless the Wheat also be destroyed; and that 'tis for the Advantage of the Church to permit both to grow together till the Harvest. In this Matter Princes, who are but the Servants of the Father of the Family, are not to judge, but the Father of the Family himself,* i. e. *the Governor of the Church. Nor should Princes ask the Father of the Family, that he would suffer both to grow till the Harvest, but whether it be his Pleasure that they should go and pluck up the Tares. They ought to be so affected and prepared, as to need rather to be restrained than incited by the Father of the Family.*

But because there is but seldom such a Readiness in Kings and Princes to extirpate Hereticks, the Ecclesiasticks are incessantly egging them on till they have prevailed on them to yield to them all Things. Farther, they affirm that this is the Duty of the Pope and the other Bishops, as we read in *Conrad Brunus*, in his Book of Hereticks and Schismaticks. *It belongs to the Duty of* l. 3. c. 8. *the* Roman *Pontiff and the other Bishops, diligently to admonish the Emperor, and* §. 1. *other Kings and Princes, under whose Government there arise Heresies and Schisms, as often as there is Need; first, that they preserve the true and Catholick Religion and Faith, and observe the Commands of God; and secondly, that they every where suppress and extinguish heretical Impiety, by the Discipline and Rigour of the secular Power, which the Sacerdotal Office cannot do by their Doctrine and ecclesiastical Censures. Thus Pope* Leo *implored the Assistance of the Emperor against Hereticks, in his 55th Letter to the Emperor* Martian, *and 36th to the Empress* Pulcheria, *and 23d to the Emperor* Theodosius II. *It belongs also to the Care and Concern of the Pope, to take certain good and faithful Men in the Court of every Prince, who may enquire out Hereticks, and every Thing that belongs to the Defence of the Catholick Faith, and the Preservation of Unity; and put the Prince in mind of whatsoever is necessary to Peace, and inform the Pope of all such Transactions whatsoever; as we find it in the 34th and 80th Letters of* Leo *to Bishop* Julian, *the 55th to the Emperor* Martian, *and 73d to the Emperor* Leo.

But not content with this, the Popes, by their Decrees, Bulls and Rescripts, command all Magistrates whatsoever, to yield all Assistance to the Inquisitors, severely threatning them with the most grievous Punishments, if they are wanting to their Duty. All which Things are laid together in the Book concerning the Form of Proceeding against Hereticks, generally ascribed to *John Calderine*.

" The Duty of every Magistrate or Governor is described perfectly enough Tr. de
" in the Constitutions of *Clement*, and in the Decretals, although the Emperor, Tom. xi.
" and the Popes *Gregory*, *Alexander* and *Innocent*, touch upon some of these Mat- p. 2. fol.
" ters. What the Magistrates and other Officers ought to do, is not put down in 412.
" the Order in which it is written, but in such a Manner as renders it more easy to
" be remembred. *Clement* writes after this Manner to the Magistrates and Ru-

" lers,

" lers, and Conſuls, and Nobles *, and Councils, and Communities of Cities and " other Places in *Italy*: *By theſe our Apoſtolick Writings we command all of you, that ye* " *ſeverally cauſe to be written in the Regiſters, the Conſtitutions made by us, with the* " *Additions, Modifications, and Declarations made by the ſaid* Alexander *our Pre-* " *deceſſor, and that they ſhall never be eraſed from thence; and that ye proceed ac-* " *cording to them, without any Omiſſion, againſt every Hereſy that exalts it ſelf* " *againſt this holy Church. Otherwiſe we command by our Letters our beloved Sons* " *the Predicant and Minor Friars, Inquiſitors of heretical Pravity, and every of* " *them, deputed through* Italy *by Authority of the Apoſtolick See, and hereafter to* " *be deputed, that within a certain limited Time, they compel every one of you thus* " *to do, under the Penalty of Excommunication againſt your Perſons, and Interdict* " *againſt your Country, without any Benefit of Appeal.*

1. " *We ordain, that the Magiſtrate, Head Officer, or Governor, or Conſuls, or* " *whoever preſide over the City, or ſhall be ſubſtituted in the Room of others, for a* " *Time only, either now, or for the future in* Italy, *ſhall ſwear that he will preciſely,* " *and without any Delay, inviolably attend to and obſerve, and cauſe to be obſerved* " *the whole Time of his Government, by all as well in the Country as the City, and* " *in all Places ſubject to his Juriſdiction, all and ſingular the under written Conſtitu-* " *tions, and take an Oath from all that ſhall ſucceed them in the Power or Govern-* " *ment, concerning theſe Things, that they will preciſely obſerve them. And if any one* " *refuſes this, let him in no manner be owned for a Magiſtrate, Head Officer, or Go-* " *vernor, or Ruler; and whatſoever he doth as Magiſtrate or Head Officer, or Con-* " *ſul, or Ruler, let it have no Validity; and let no one be obliged or bound to attend* " *on them, even though he ſhall have taken an Oath to obey them.*

2. " *We ordain alſo by a perpetual Edict, that the Magiſtrate, or Conſuls and Ru-* " *lers, whatever be their Offices, ſhall publickly ſwear that they will defend the* " *Faith, that they will ſtudy in Sincerity, and with all their Might, to exterminate* " *from the Places ſubject to their Juriſdiction, all Perſons marked out for Hereticks by* " *the Church; ſo that whoſoever for the future ſhall be taken into any perpetual Ma-* " *giſtracy, ſhall be altogether and wholly obliged to confirm this by Oath, otherwiſe let* " *them not be acknowledged for Magiſtrates, Conſuls, or the like, and let all their* " *Sentences be invalid and null by our Decree.*

3. " *Alſo the ſame Magiſtrate, Head Officer, Conſul, Ruler, and all others taken into* " *the Government of any City or Place, ſhall in the Beginning of their Government,* " *in a publick Aſſembly, according to Cuſtom, put under the Ban of ſuch City and* " *Place, as though it were for the worſt of Crimes, all Hereticks of both Sex, and* " *whatſoever be their Names, and they ſhall be obliged to confirm ſuch Ban pronounced* " *by their Predeceſſors. Let them alſo command that no Heretick, Man or Woman,* " *ſhall any longer dwell, or ſtay, or ſubſiſt in ſuch City, or any Place of the ſaid Ju-* " *riſdiction or Diſtrict.*

* *Antianis.* They are in *Genoa* and other Towns of *Italy*, Patricians and Nobles, ſuperior to others in Age, unto City and Honour, and are thetefore themſelves Magiſtrates. *Du Freſne in voce.*

" *Far-*

" *Farther, we farther order and notify, that the Predicant Friars deputed againſt* 4.
" *Hereticks for the Affair of the Faith, in the Parts of our Empire, and all others*
" *alſo who ſhall come to judge Hereticks, unleſs any of them be proſcribed by the Em-*
" *pire, ſhall be received under the ſpecial Protection of our Empire, in going, ſtaying*
" *and returning, and that they ſhall remain without Injury, under the Pro-*
" *tection and Recommendation of the Faithful of the Empire. We command every one*
" *of you, that ye receive them kindly, whenſoever and to whomſoever of you they*
" *ſhall come, and that ye give them Counſel, ſafe Conduct and Aſſiſtance, in per-*
" *forming ſuch acceptable Services before God. Whatſoever Hereticks alſo they ſhall*
" *diſcover to you in your Juriſdiction, let them be apprehended and kept in ſafe*
" *Cuſtody, till by Judgment of Eccleſiaſtical Condemnation, they ſhall undergo the*
" *Puniſhment they deſerve.*

" *Farther, let the Magiſtrate or Ruler, or he who hath the principal Government,* 5.
" *be obliged to chuſe one of his Aſſeſſors, and ſend him to the Dioceſan if preſent, and*
" *the Inquiſitors or Inquiſitor, deputed by Authority of the Apoſtolick See, to go with*
" *them, as often as they pleaſe, within the Juriſdiction of ſuch City, Place or Di-*
" *ſtrict; which Aſſeſſor ſhall force three or more Perſons of good Report, according as*
" *the aforeſaid Inquiſitors or Inquiſitor ſhall think fit, or the whole Neighbourhood, if*
" *they judge proper, to take an Oath, that if they know of any Hereticks there, or of*
" *their Effects, or of any Perſons that keep private Conventicles, or differing in Life*
" *and Manners from the common Converſation of the Faithful, or of any Believers,*
" *Defenders, Receivers, or Favourers of Hereticks, they ſhall endeavour to diſcover*
" *them to the ſaid Inquiſitors or Inquiſitor.*

" *Alſo the Magiſtrates, Conſuls, Ruler, and all who are at the Head of Affairs,* 6.
" *ſhall be obliged to purge from heretical Pravity the City or Place where they preſide,*
" *and the whole Country or Diſtrict ſubject to their Juriſdiction, according to the Laws*
" *publiſhed againſt heretical Pravity at* Padua, *by* Frederick, *heretofore Emperor*
" *of the* Romans, *then perſiſting in his Devotion to the* Roman *Church, and ſhall*
" *cauſe them to be regiſtred in their Records, never to be raſed out.*

" *But if the temporal Lord being required and admoniſhed by the Church, ſhall* 7.
" *neglect to purge his Dominions from heretical Pravity, for the Space of a Year, af-*
" *ter the Time of Admonition, we expoſe his Country to be ſeized by the Catholicks, who*
" *upon the Extermination of Hereticks, ſhall poſſeſs it without any Contradiction, and*
" *preſerve it in the Purity of the Faith, reſerving the Right of the principal Lord,*
" *provided he gives no Hindrance, nor creates any Obſtacle to this Affair. Let the*
" *ſame Law be obſerved, with reſpect to ſuch as have no principal Lords.*

" *Farther, let the Magiſtrate, Head Officer, Conſul, or Ruler, or any other de-* 8.
" *puted to ſuch Government, be obliged to cauſe ſuch Hereticks, when apprehended,*
" *to be carried, at the publick Expence, any where within the Juriſdiction or Di-*
" *ſtrict of the Dioceſan, Biſhop, or City, or Place, whereſoever the Dioceſan, or his*
" *Vicar, or Inquiſitors, or Inquiſitor aforeſaid ſhall order them.*

" *Farther, let ſuch Magiſtrate, Head Officer, Conſul or Ruler, or others, be obliged* 9.
" *to order ſuch heretical Men or Women, when apprehended, to be kept at the com-*
" *mon Expence of ſuch Place where they preſide, by Catholick Men choſen to this Of-*
" *fice by the Dioceſan, if preſent, or by the Inquiſitors or Inquiſitor, in ſome ſpecial*

" Jail, ſafe and ſecure, in which they ſhall be by themſelves, ſeparate from Robbers " and Outlaws, till it ſhall be determined concerning them.

10. " Farther, let ſuch Magiſtrate, Head Officer, Conſul or Ruler, or others ſuch, be " obliged to bring, with a ſufficient and ſecure Guard, all Hereticks, of whatſoever " Name, within twelve Days after they are taken, before the Dioceſan, or his ſpi- " ritual Vicar, or the Inquiſitors of Hereticks, or Inquiſitor, to form an Examina- " tion of them and their Hereſy.

11. " Moreover, let the Magiſtrate, Head Officer, Conſuls, or others ſuch, be obliged " to compel all Hereticks they have apprehended, without Loſs of Members, or Dan- " ger of Death, as real Thieves and Murtherers of Souls, and Stealers of the Sacra- " ments of God, and the Chriſtian Faith, expreſsly to confeſs their Errors, and accuſe " other Hereticks whom they know, and to diſcover their Effects, their Believers, Re- " ceivers and Defenders, by the ſame Means as the Thieves and Robbers of temporal " Things are compelled to accuſe their Complices, and confeſs the Crimes they have " committed. And when they are condemned for Hereſy by the Dioceſan or his Vicar, " or by the Inquiſitors or Inquiſitor, the Governor, Head Officer, or any of the other " above named, or his or their ſpecial Deputy, ſhall be obliged to receive them as ſoon " as they are delivered over to them, and puniſh them with the deſerved Pu- " niſhment.

12. " Farthermore, the Magiſtrate, Head Officer, Conſul or Ruler, or any other chief " Officer of a City or Place, ſhall be obliged to write down in four Libels of the ſame " Tenour, the Names of all thoſe who ſhall be defamed or rendred infamous, or put un- " der the Ban for Hereſy, one of which ſhall be given to the Community of ſuch City, " or Place, another to the Dioceſan, another to the Predicants, and another to the " Minors. And they ſhall cauſe their Names to be ſolemnly called over in publick " Aſſembly three times in a Year.

13. " Farther, let the chief Magiſtrate of a City, or Ruler of any Place, under what " Character ſoever, be obliged effectually to execute theſe Things, the pulling down " the Houſes of Hereticks, the cauſing them to be condemned, the delivering and di- " viding their Effects, found and ſeized, of which we have ſpoken before, within " ten Days after the Accuſation or Injunction made, and to demand the Fines they are " condemned to, to be paid down, and to divide their Effects, according to what is " hereafter contained.

14. " Moreover, let the chief Magiſtrate or Officers be obliged to appoint one of their " Aſſeſſors, whomſoever the Dioceſan, or his Vicar, and the ſaid Inquiſitors or In- " quiſitor of Hereticks ſhall chuſe, faithfully to perform theſe Things, and to change " them for any Time if they think proper. Nor let any Condemnations or Penalties, " which ſhall be incurred on the Account of Hereſy, be ever remitted by any Means, " or upon any Account, neither by Word, Counſel, or at the Deſire of the People.

15. " Furthermore, let the chief Magiſtrate, Head Officer, Conſul, or any other Per- " ſon in Authority, be obliged to divide all the Effects of Hereticks and their Recei- " vers, which ſhall be ſeized or found by the ſaid Officials, and the Fines to which " they ſhall be condemned for them, as alſo the Timbers, Stones, and Tiles of the " Houſes, and Caſtles, which ſhall be deſtroyed upon the Account of Hereſy, and all " the Effects, movable and immovable, which ſhall be confiſcated upon the ſame Occa-

" *ſion, in ſuch manner, that the firſt Part ſhall be diſtributed for the common Uſe of*
" *ſuch City or Place; the ſecond in Favour and for the Aſſiſtance of the Office, and*
" *be given to the Officials who ſhall have performed theſe Affairs; and let the third*
" *Part be depoſited in ſome ſafe Place, to be reſerved by the ſaid Dioceſan and Inqui-*
" *ſitors, or Inquiſitor, as they think fit, and to be expended by their Advice in Favour*
" *of the Faith, and for the Extirpation of Hereticks, any Statute made, or to be made*
" *to the contrary notwithſtanding.*

" *Farther, let the chief Magiſtrate or Ruler of any City or Place, be obliged faith-* 16.
" *fully to ſell, with the Advice and Conſent of the Inquiſitors or Inquiſitor, all Goods*
" *confiſcated upon account of heretical Pravity, within three Months after ſuch Con-*
" *fiſcations: If he doth not do it, let him thereby incur the aforeſaid Penalties; and*
" *let the Inquiſitors or Inquiſitor nevertheleſs have free Liberty to ſell them, with the*
" *Advice of the Dioceſan, or of his Vicar, if he be abſent, and of two Friars Predi-*
" *cants, and as many Friars Minor, whom the Prior and Guardian, if there be a*
" *Convent there of the ſaid Orders, ſhall think proper to be choſen, and let the Buyers*
" *of ſuch Effects freely and lawfully have and poſſeſs them, and let the real Property*
" *of them be transferred to them upon their buying them.*

" *But if any one ſhall otherwiſe attempt to deſtroy, diminiſh, or change any* 17.
" *Thing in theſe Statutes and Conſtitutions, without the ſpecial Authority of the Apo-*
" *ſtolick See, let the chief Magiſtrate, or Conſul, or any other Officer, who ſhall be*
" *for any Time in ſuch City, or their Deputies, declare him perpetually publickly in-*
" *famous, according to the preſcribed Form, as a publick Defender and Favourer of*
" *Hereticks, and puniſh him with a Fine of Fifty Imperial Pounds of Money, which,*
" *if he cannot recover, let him put him under the Bann of common Malefactors, and*
" *never releaſe him from it, but upon Payment of double ſuch Sum.*

" *Moreover, let the chief Magiſtrate, or Head Officer, or Conſul, or any other* 18.
" *Magiſtrate, of any City and Place, be obliged to deſtroy or eraſe wholly out of the*
" *Statutes and Records any Statutes made or to be made, that ſhall be found to con-*
" *tradict theſe Conſtitutions, or by any Manner of Means to oppoſe the mentioned Sta-*
" *tutes and Laws: And let them in the Beginning and Middle of their Government,*
" *cauſe theſe Statutes, Conſtitutions and Laws, to be ſolemnly rehearſed in publick Aſ-*
" *ſembly, and in all other Places without their City, as ſhall ſeem fit to the Dio-*
" *ceſan, or the Inquiſitors, or Inquiſitor.*

" *Moreover, let all theſe Statutes, or before mentioned Conſtitutions, and Laws, and* 19.
" *any other that ſhall be made at any Time by Authority of the Apoſtolick See, againſt*
" *Hereticks and their Accomplices, be written down in Four Volumes, each of them ex-*
" *actly the ſame, and let one of them be placed in the Statute Office of every City or*
" *Place, the ſecond deliver'd to the Dioceſan, the third to the Friars Predicants, the*
" *fourth to the Friars Minors, to be carefully kept, that they may not ſuffer by any*
" *Forgery any Alteration in any Thing whatſoever.*

" *Farther, let the chief Magiſtrate or Head Officer, Conſul, or any other Ma-* 20.
" *giſtrate, be obliged, within twelve Days of his Government, to examine the*
" *chief Magiſtrate, Head Officer, Conſul, or Ruler, whom he immediately*
" *ſucceeds, and his Aſſeſſors alſo, by three Catholick and faithful Men, to*
" *be choſen within three Days of the aforeſaid Government, by the Friars Predi-*
" *cants and Minors, ſuch as ſhall be appointed by their reſpective Prior and Guar-*

" dian, together with the Dioceſan, or by the Inquiſitors or Inquiſitor of heretical " Pravity, concerning all Things contained in the ſaid Statutes, or Conſtitutions, and " Laws, againſt Hereticks and their Complices, and to puniſh them if they have been " faulty, for all and ſingular Matters which they have omitted, and force them to " make Satisfaction out of their own Eſtates, notwithſtanding they ſhall have been " abſolved from ſuch Examination by any Licenſe of Counſel, or any other Perſon " whatſoever. And the aforeſaid three Perſons ſhall ſincerely ſware that they will " examine the before mentioned Perſons concerning the before recited Matters.

Boniface VIII. touches upon all theſe Things, ſaying briefly, " That the " Affair of the Inquiſition againſt heretical Pravity may go on proſperouſly in our " Times, to the Glory of God, and the Encreaſe of the Faith, we approve and com- " mand to be obſerved certain Laws promulgated by Frederick, formerly Emperor of " the Romans, then perſiſting in his Devotion to the Church of Rome, as far as " they promote the Honour of God, and of his holy Church, and tend to the Extirpa- " tion of Hereticks, and are not contrary to the canonical Statutes. Likewiſe we re- " quire and admoniſh all chief Magiſtrates and temporal Lords, and the Governors " of Provinces, Countries, Cities, and other Places, of whatſoever Dignities, Of- " fices or Names, as they deſire to be reputed and accounted faithful, that they do " obey the Biſhops of the Dioceſe, and the Inquiſitors of heretical Pravity deputed, or " hereafter to be deputed by the Apoſtolick See, for the Defence of the Faith, and that " when required by them they do endeavour to ſearch out, to apprehend and keep in " ſafe Cuſtody the Believers of Hereticks, their Favourers, Receivers and Defenders, " and that they carry or cauſe to be carried, without Delay, the aforeſaid peſtilent " Perſons into the Power or Jail of the before mentioned Inquiſitors, or to any Place " where they or any of them ſhall command, within their Dominion, Power or Di- " ſtrict, where they ſhall be kept in ſtrict and ſafe Cuſtody by Catholick Men deputed " by the aforeſaid Biſhops, or Inquiſitors, or any one of their Deputies, till their " Affair ſhall be determined by the Judgment of the Church: And that the aforeſaid " chief Magiſtrates, and temporal Lords or Governors, or their Officials or Deputies, " do immediately receive ſuch as are condemned for Hereſy by the Biſhop of the Dio- " ceſe, or Inquiſitor or Inquiſitors, and when delivered to them, puniſh them with the " deſerved Puniſhment, notwithſtanding the Appeals or Complaints of the aforeſaid " Children of Wickedneſs, ſince, according to the Appointment of our Predeceſſors, " as well as by the Imperial Law, the Benefit of Appeal and Complaint is expreſsly " denied to Hereticks, their Believers, Receivers, Favourers and Defenders.

21. " We alſo more ſtrictly forbid the aboveſaid chief Magiſtrates, temporal Lords and " Governors, and their Officials, to take any manner of Cognizance, or to judge con- " cerning this Crime, ſince it is meerly Eccleſiaſtical, or by their Leave and Com- " mand to deliver out of Priſon any Perſons apprehended for the ſaid Crimes, with- " out the Leave and Command of the ſaid Biſhops or Inquiſitors, or at leaſt one of " them, or to refuſe to perform or fulfil Execution for ſuch Crime appointed by the " Dioceſan, or Inquiſitors or Inquiſitor, as is agreeable to their Office, or that " they otherwiſe preſume directly or indirectly, to hinder any Judgment, Sentence, or " Proceſs of the Dioceſan or Inquiſitors.

22. " We moreover ordain, that the chief Magiſtrate, Head Officer, Governor or " Conſuls, or any other preſiding over any City or Place, now or hereafter, ſhall,

" at

" *at the Command of the Diocesan, or his Vicars, or the Inquisitors of heretical Pra-*
" *vity, swear precisely to regard, inviolably to observe, and cause to be observed by*
" *their Subjects, during the whole Time of their Government, in all the Countries*
" *subject to their Jurisdiction and Government, the Constitutions published, and ap-*
" *proved by the Apostolick See against Hereticks, their Believers, Receivers, Fa-*
" *vourers and Defenders, their Children and Grandchildren: And whosoever refuses*
" *to swear to observe them is infamous, and shall be deprived of the Honour and Office*
" *of his Government, as a Favourer of Hereticks, and suspected concerning the Faith;*
" *and let him not be accounted as a chief Magistrate, Head Officer, Consul, or Go-*
" *vernor, or ever be raised to any publick Dignity or Office. And let whatever he*
" *doth as chief Magistrate, Consul, or Governor, have no Validity.* But *Clement*, in his Constitutions, saith thus: " *If any chief Magistrate, Head Officer, or any*
" *of the before-named, shall refuse and neglect to observe these Constitutions, and eve-*
" *ry Thing contained in them; besides the Mark of Perjury, and the Hazard*
" *of perpetual Infamy, let him forfeit two hundred Marks, which shall be exacted of*
" *him without Remission, and converted to the publick Use of the Place where he go-*
" *verns; and yet nevertheless he shall be deprived of the Honour and Office of his Go-*
" *vernment, as a perjured and infamous Person, and as a Favourer of Hereticks,*
" *and suspected concerning the Faith, and never more be any where accounted as a*
" *chief Magistrate, Head Officer, Consul, or Governor, nor ever after promoted to*
" *any publick Dignity or Office whatsoever. Boniface*, in 6 Decret. says thus: *But*
" *if any one of the aforesaid chief Magistrates, temporal Lords, Governors, or their*
" *Officials, or others, shall act contrary to the aforesaid, or shall presume to oppose him-*
" *self in the aforesaid Affair of the Faith to the aforesaid Diocesan, Bishop, or Inqui-*
" *sitors, or any ways to hinder him: As also every one who shall knowingly give them As-*
" *sistance, Counsel, or Favour in the aforesaid, let him know that he shall be pierced*
" *thro' with the Sword of Excommunication, which, if he endures for a Year with an*
" *obstinate Mind, he shall from thence be condemned for an Heretick.*

All these Constitutions wholly subject the secular Magistrate to the Inquisitors, who bid them draw their Sword at their Pleasure, and readily execute their Commands with a blind Obedience.

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## CHAP. XIII.

### *Of the Privileges of the* INQUISITORS.

AS we have briefly described the Offices of all the Ministers of the Inquisition, it remains now that we treat more fully and distinctly of the Inquisitors, who are the Chief of all. We will therefore give an Account of their Privileges and Power.

The Privileges of the Inquisitors are many and great, which the Popes of *Rome* have granted them with a liberal Hand, that they may more chearfully

perform their Duty, and vigorously execute the Laws made againſt Hereticks.

Eymer. p. 3. Q. 21. *Urban* IV. by a Bull, beginning, *Ne Inquiſitionis negotium*, grants the Inquiſitors, *That no Delegate of the Apoſtolick See, or Sub-delegate under him, no Conſervator, or Executor deputed by the ſaid Apoſtolick See, or hereafter to be deputed, ſhall be able to publiſh the Sentence of Excommunication, Suſpenſion or Interdict againſt them, or their four Notaries or Writers faithfully obeying them in theſe Matters, whilſt they ſhall be engaged in the Proſecution of this Affair, without the ſpecial Command of the aforeſaid See, making full and expreſs Mention of this Indulgence*; and he decrees *every Thing done contrary hereto to be null and void.* This Privilege is granted them, that the Cauſes of Religion may not be forſaken or hindred by the Excommunication of the Inquiſitors, and other Miniſters of the Office, and Hereticks in the mean while go unpuniſhed by ſuch Hindrances of their Judges.

He hath granted the ſame alſo by a ſpecial Privilege to the Inquiſitors of the Orders of Predicants and Minors, that they may not be hindred by their Superiors in the Cauſes of Faith. *If it ſhould ſo happen that the Maſter and Miniſter General, and other Priors and Miniſters Provincial, and Keepers and Guardians of other Places of your Order, ſhall, under Pretence of certain Privileges or Indulgences of the ſame Apoſtolick See granted to the ſaid Orders, or hereafter to be granted, enjoin, or in any manner command you, or any one or more of you, that you ſuperſede this Affair for a Time, or as to certain Articles, or certain Perſons; we by our Apoſtolick Authority do ſtrictly prohibit you, and all and ſingular of you, that ye do not preſume in this, or by any Means whatſoever, to obey and ſubmit to them. For we, by the Tenor of theſe preſent, do revoke all ſuch Privileges or Indulgences, as far as relates to this Article, and do wholly pronounce null and void all Sentences of Excommunication, Interdict and Suſpenſion, if it ſhall ſo happen that they have been pronounced againſt you, or any of you, upon this Occaſion. For if the aforeſaid See doth ſometimes give Commiſſion, under a certain Form, by its Letters to any Prelates of your Orders, that they ſhall be able to take certain Friars of their Orders to execute the Office of the Inquiſition againſt heretical Pravity, and to remove them when they think expedient, and to ſubſtitute others, yet by this there is no Faculty, Juriſdiction or Power granted them in this Affair, immediately committed, or to be committed to you by the aforeſaid See, becauſe the only Reaſon why ſuch Commiſſion in ſuch Part is granted them is, that they are preſumed to have a more full Knowledge of the Fitneſs of the Friars of their own Order.*

Eymer. p. 3. Q. 22. 'Tis alſo granted to the Inquiſitors in Favour of the Faith, that when they cannot, without Loſs of Time, and Danger to the Affair, have Recourſe to their Superiors, who, in ſuch Places may lawfully execute Juſtice, they may require the temporal Lords, and their Officials, though excommunicated, to afford them their Aſſiſtance and Favour, according to their Office, without incurring themſelves the Penalty of Excommunication: per cap. *Præſidentes* de hæret. l. 6. *Though they require ſuch excommunicated Perſons, they ſhall not therefore incur the Sentence of Excommunication.* Agreeable to this, although the Acts

Pegna, Com. 71. of Tyrants are in Law void and null, yet in Favour of the Faith, if a Tyrant,

rant, or any other unjuſt Lord, by Command of the Inquiſitors, doth any Thing againſt Hereticks, 'tis valid.

The Inquiſitors only, and not the Ordinaries, can publiſh Edicts againſt Hereticks. Thus lately a certain Edict, publiſhed by Command of the Ordinary, during the Time of Lent, was revoked. But we ſhall ſpeak more of this in the fifteenth Chapter. Likewiſe the Inquiſitors only, and no others, can abſolve from Excommunication for Hereſy contracted, by Virtue of a Jubilee, or Letters of the Apoſtolick See, and even from the Sentence of Excommunication, which the Pope himſelf pronounces againſt them at the Feſtival of the Sacrament. Royas, *p.* 2. §. 425. §. 416.

The Inquiſitors can excommunicate, ſuſpend, and interdict. How grievous this their Excommunication is, ſhall be alſo related, Chap. XV. They can alſo command any Presbyter with Cure or without, to publiſh monitory Letters made by him, and denounce before the People the Perſons excommunicated by them. And if he refuſes to do it, they may puniſh ſuch Presbyter, not only with a Cenſure, but with ſome other Puniſhment. Pegna, *Lucern. Inq. in voce Excommunicatus. Lucern. in voce Inquiſ. hær. prav.*

Perſons under Excommunication or Interdict by the Inquiſitor, can't be abſolved by the Ordinary, or any other Perſon, without the Command of the Pope, except in the Article of Death.

The Inquiſitors may apprehend Hereticks, though they fly to Churches; nor can the Biſhops hinder them from this under any Pretence. As *John* XXII. hath decreed by a Conſtitution, beginning, *Ex parte veſtra.* Ibid. *in voce Excommunicatus.*

The Inquiſitor may prohibit the ſecular Judge from proceeding againſt any Perſon upon Account of any Proceſſes made by the Inquiſitor himſelf, or upon Occaſion of any Confeſſion made before ſuch Inquiſitor. See cap. *Tuam.* de ordi. cogni. Carena, *p.* 1. *t.* 5. *n.* 96. *Lucern. in voce Index.*

Whoſoever by himſelf or others ſhall kill, or beat, or ſtrike any one of the Inquiſitors or Officials of the holy Office, he is to be delivered over to the ſecular Court without any Charge of Irregularity, according to the Grant of Pope *Leo* X. dated at *Florence*, *Jan.* 28, 1515. The aforeſaid Grant is now extended to thoſe who damage the Effects of the Inquiſitors, or Officials, by the proper Motion of *Pius* V. dated at *Rome* 1569. Royas, *p.* 2. §. 419.

Likewiſe the Inquiſitors receive the entire Fruits of their Benefices, together with the daily Diſtributions, when abſent; as appears in the Letters of *Paul* III. and *Pius* V. which are in the firſt Volume of the Letters of this Inquiſition in *Valentia*, *fol.* 308. 420.

The Penſions reſerved by the Apoſtolick Authority to the holy Office, are free from the Payment of the fifteenth, as the ſupreme Congregation of the holy Office hath declared, *Jan.* 4, 1622. for the Inquiſitor at *Pavia* againſt the Chapter of the Metropolitan Church at *Milan*. The Pope hath alſo often declared that the Benefices united to the Inquiſitions are free from Payment of the Tenths. Carena, *p.* 1. *t.* 5. *n.* 97.

They are alſo free from all real and perſonal Offices, and even from the Law of the Generality, by a ſpecial Royal Privilege, which is alſo extended to ſome of the Officials, as is more fully contained in the ſaid firſt Volume, *fol.* 288. 421.

Lodg-

424. Lodgings, Proviſions, and other Neceſſaries, are to be provided for the Inquiſitors and their Officials at a juſt Price, according to the Tenor of the Privilege of Queen *Joan.*

440. The Inquiſitors may make Statutes againſt Hereticks, and encreaſe the Puniſhments againſt them.

They may alſo carry Witneſſes above two Days Journey.

Eymer. *p.* 3. *qu.* 13. Farther, *Urban* IV. hath granted another Privilege to the Inquiſitors, that they may abſolve themſelves and their Aſſiſtants, and diſpenſe with themſelves as to their Irregularity. *That you may the more freely promote the Affair of the Faith, we grant you by the Authority of theſe preſent, that if it ſhould happen that you, and the Friars of your Order, your Aſſiſtants, ſhould in any Caſes, by human Frailty, incur the Sentence of Excommunication and Irregularity, or remember that you have incureed it; ſince you cannot eaſily, on this Account, have Recourſe to your Priors, becauſe of the Office enjoin'd you, you may mutually abſolve one another upon theſe Accounts, according to the Form of the Church, and by our Authority may diſpenſe with your ſelves, in Caſes in which the ſaid Priors can do it by Grant of the Apoſtolick See.* They can likewiſe abſolve their Servants and Familiars from Excommunication for apprehending any one upon Account of their Office, as *Innocent* IV. ſays in a Bull, beginning, *Devotionis veſtræ.*

But there are three Caſes in which the Inquiſitors cannot mutually abſolve themſelves. The firſt is, when they have omitted to proceed againſt any one they ought to have proceeded againſt. The ſecond, when they have falſely charged any one with Hereſy, or ſaid that they have hindred the holy Office, who in Reality have not. *But becauſe 'tis very heinous not to act for the Extirpation of the aforeſaid Pravity, when ſuch infectious Wickedneſs requires it; 'tis alſo very heinous, and moſt worthy of Condemnation, maliciouſly to charge innocent Perſons with ſuch Pravity. We therefore command the aforeſaid Biſhop and Inquiſitor, and others ſubſtituted by them to execute the ſaid Office, in Virtue of their holy Obedience, and under the Threatning of eternal Damnation, that they proceed ſo diſcreetly and readily againſt Perſons ſuſpected or defamed for ſuch Pravity, that they do not maliciouſly or fraudulently, falſely charge any one with ſo great a Crime, or with hindring them in the Execution of the Office of the Inquiſition. But if through Hatred, Favour or Love, or with a View of any temporal Gain or Profit, the Biſhop or Superior ſhall omit to proceed againſt any one, contrary to Juſtice and their Conſcience, when they ought to proceed upon ſuch Pravity; or with the ſame View ſhall charge any one with ſuch Pravity, or hindring the Office, and upon this Account ſhall by any Means preſume to trouble him, beſides other Puniſhments to be inflicted on them according to the Quality of the Fault, ſuch Biſhop or Superior ſhall hereby incur the Sentence of Suſpenſion from his Office for three Years, and others the Sentence of Excommunication. From which Sentence of Excommunication thoſe who incur it, ſhall not obtain the Benefit of Abſolution from any one but the Pope himſelf, except in the Article of Death, and not then without Satisfaction made, any Privilege whatſoever to the contrary notwithſtanding.* But the Inquiſitors are not ſubject to this Penalty, if they omit to proceed through Ignorance, but only when they know they ought to have proceeded, and have then omitted to proceed through Hatred, Favour, Love,

Clement. *de hæret. cap. Multorum. §. Verum quia.*

Love, Money or Entreaty, contrary to Juſtice and their own Conſcience; or, on the other Hand, have proceeded when they ought not. The third Caſe is when they have unlawfully extorted Money, under Pretence of their Office, or have confiſcated the Effects of the Church for the Offences of the Clergy. Clement. de hæret. cap. *Nolentes.* *We alſo do more ſtrictly enjoin all their Commiſſaries whatſoever, as well as thoſe of Biſhops and Chapters, during the Vacancy of the See, deputed for this Affair, that they ſhall not extort Money from any Perſons, by any unlawful Means whatſoever, under Pretence of the Office of the Inquiſition; and that they ſhall not knowingly attempt to confiſcate to the Church the Churches Effects for any Offence of the Clergy. And if any act contrary to theſe Things, or any one of them, we decree that they ſhall be actually excommunicated, from which they ſhall not be abſolved, unleſs in the Article of Death, till they have made full Satisfaction to thoſe from whom they have extorted Money: All Privileges, Agreements, or Remiſſions whatſoever to the contrary notwithſtanding.*

Amongſt the Privileges of the Inquiſitors 'tis not the leaſt, that the Inquiſitor hath Power of granting an Indulgence of twenty or forty Days, as he ſhall ſee fit, to all that are truly penitent, and confeſſed, and who attend on his Sermon made for the Faith, according to the Reſcript of *Innocent*, *Clement*, *Alexander*, and *Urban* IV. *Præ cunctis.* They can alſo releaſe from the Penances enjoin'd them, for three Years, all the Companions and Friars of the Inquiſitor, and alſo his Notaries, who have laboured together with them in the Proſecution of this Affair, and who have, from their Hearts, perſonally afforded Aſſiſtance, Counſel and Favour againſt Hereticks, their Favourers, Receivers and Defenders. And if any of them ſhould happen to die in the Proſecution of this Buſineſs, they grant them full Pardon of all their Sins, for which they are contrite in Heart, and confeſs with their Mouth. *Gregory* IX. plainly declares thus, in his Reſcript, beginning, *Ille humani Generis*, in theſe Words. *Add to theſe Things, In order to their more freely and effectually executing the Office committed to them in all the Premiſſes, we confiding in the Mercy of Almighty God, and in the Authority of the bleſſed* Peter *and* Paul *his Apoſtles, do releaſe for three Years from the Penance enjoin'd them all who ſhall attend on their* (the Inquiſitors) *preaching, twenty Days in their ſeveral Stations; and all thoſe who ſhall, from their Heart afford Aſſiſtance, Counſel and Favour to the ſubduing of Hereticks, and their Favourers, Receivers and Defenders, in their fortified Places and Caſtles, or any other that rebel againſt the Church. And if any ſuch ſhould happen to die in the Proſecution of this Affair, we grant them full Pardon of all their Sins, for which they are contrite in their Heart, and which they confeſs with their Mouths.* *Pegna* tells us that the Croſs-bearers enjoy this Privilege to this Day, and they are the ſame with the Familiars in *Spain*, who are at the Beck of the Inquiſitors, and execute all Things they order them, to promote this holy Office, the Propagation of the Faith, and the Extirpation of heretical Pravity. But as there are extant the Bulls of five Popes, who every one of them grant theſe three Years of Indulgences, ſome infer from hence, that theſe Years of Indulgences are to be added together, and therefore that Indulgences of fifteen Years are granted to all who promote the Office of the Inquiſition, for every Time and Inſtance. And *Pegna*,

Eymer. 3. part. *qu.* 127. *Com.* 176.

*Com.* 178.

Lucern. *Inq. in voc. Indulgentia eorum qui.*

who believed once that the Indulgences of the former Popes were only confirmed by the Bulls of the latter, ſays there is Reaſon to add them to one another.

But to the Inquiſitors themſelves is granted a plenary Indulgence in Life and Death, by a Reſcript of *Alexander* IV. beginning, *Firmiſſime teneat*, in which we read thus: *By the Mercy of Almighty God, and confiding in the Authority of his bleſſed Apoſtles*, Peter *and* Paul, *we grant unto you, being truly penitent, and confeſſed, full Pardon of your Sins.* And by a Reſcript of *Urban* IV. and *Clement* IV. beginning, *Præ cunctis. And to you who labour in this Affair, we grant you that Pardon of Sins which was granted in a general Council, to thoſe who ſuccour the holy Land.* This Indulgence was granted by *Innocent* III. in the *Lateran* Council at *Rome*, *Anno* 1215. and runs thus: *In order to recover the holy Land, &c. we, truſting in the Mercy of Almighty God, and in the Authority of the bleſſed Apoſtles*, Peter *and* Paul, *by that Power of binding and looſing, which God hath conferred upon us, tho' unworthy, do grant to all who undertake this Labour in their own Perſons, and at their own proper Expence, full Pardon of all their Sins, for which they ſhall be truly contrite in Heart, and confeſs with their Mouths, and do promiſe them an Encreaſe of eternal Salvation at the Retribution of the Juſt. And as to thoſe who ſhall not go thither in their own Perſons, but only ſhall appoint proper Perſons, according to their Ability and Faculty, maintaining them at their own Expences; and as to thoſe alſo who go thither in their own Perſons, tho' at the Expence of others, we grant them full Pardon of all their Sins. We alſo will and grant, that all ſhall be Partakers of the ſame Remiſſion, according to the Nature of their Aſſiſtance, and the Affection of their Devotion, who ſhall agreeably miniſter of their Subſtance towards the Relief of the ſaid holy Land, or ſhall give proper Counſel or Advice in the aforeſaid Matters. The holy and univerſal Synod alſo doth unanimouſly beſtow the Aſſiſtance of their Prayers and Bleſſings upon all in common, who piouſly proceed in this Work, that it may worthily profit them to Salvation.*

In verb. *Indulg.* §. *Item. Inquiſitores.*

This plenary Indulgence the Repertory of the Inquiſition extends ſo far, as that the Inquiſitors ſhall not only obtain it once in their Lives, but by all perfect Acts whatſoever, that are celebrated againſt Hereticks, in Favour and to the Praiſe of the Faith.

## CHAP. XIV.

### *Of the* AMPLITUDE *of the* JURISDICTION *of the* INQUISITORS.

BEcauſe the Inquiſitors are Judges delegated by the Pope in the Cauſe of Faith, that all Hereſy may be wholly extirpated according to the Pope's Pleaſure, Power is given them in Favour of the Faith, of proceeding againſt all ſorts of Perſons whatſoever. Few only are excepted. The Inquiſitor can't proceed againſt the Officials and Legates of the Apoſtolick See, nor againſt Biſhops; but he may give Notice of their Crimes to the Apoſtolick See. *Extrav.*

*trav. de hæret. c.* 3. and *cap. Inquiſitores. de hæret. lib.* 6. *John* XXII. ordained the ſame, when *Matthew de Pontiniano*, a Predicant, Inquiſitor of heretical Pravity in the Kingdom of *Sicily*, pronounced Sentence of Excommunication againſt *G. de Baleto*, Archdeacon of *Forli*, and Chaplain to the Pope. But *Pius* IV. by an Extravagant, beginning, *Romanus Pontifex*, in the Year 1563. ordained, that the Cardinals Inquiſitors General over all Chriſtendom, might proceed againſt Biſhops, and all other Prelates whatſoever, and admoniſh and cite them, and require their perſonal Appearance within a certain Term, and that under grievous Penalties; that ſo when the Proceſs is formed, it may be reported to the moſt holy Lord, and that the deſerved and juſt Puniſhment may be publiſhed againſt them. Bzovius, *a.* 1326. §. 9.

As to ſuch Religious as were exempt, there was formerly a great Variety about the Power of proceeding againſt them. For *Alexander* IV. by a certain Reſcript, beginning, *Ne commiſſæ vobis*, *Anno* 1260. ordained, that the Inquiſitors ſhould proceed, without Diſtinction, againſt all manner of religious and exempt Perſons whatſoever. The ſame alſo was ordained by others. But *Pius* II. about the Year 1460. granted to the Vicar of the Order of the Friars Minors, that he ſhould make Inquiſition, and puniſh his own Friars ſuſpected concerning the Faith, or of Hereſy. A few Years after *Sixtus* ordained by a golden Bull, beginning, *Sacri Prædicatorum*; which may be ſeen in the Book of the Privileges of the Predicant Order, *fol.* 163. that the Predicants ſhall not proceed againſt the Friars Minors, nor the Minors againſt the Predicants, in thoſe Places where they exerciſe the Office of the Inquiſition. A few Years after this, *Innocent* VIII. forbid all the Inquiſitors to proceed in any Manner, or make Inquiſition againſt the Friars Minors, as appears from the Apoſtolick Letters written about this Affair, contain'd in a Book entitled, *Fundamentum trium Ordinum beati Franciſci.* *Direct. Par.* 3. *Qu.* 28. *Com.* 77.

But whereas theſe Immunities were ſometimes manifeſtly dangerous to the Faith, the later Popes have ſubjected all religious or otherwiſe exempted Perſons, in the Cauſe of Faith, as formerly, to the Inquiſitors of heretical Pravity. Thus *Clement* VII. by a Reſcript, beginning, *Cum ſicut*; and *Pius* IV. by another beginning, *Paſtoris æterni*; for which Reaſon it was declared by *Charles* V. Emperor in *Spain*, That the Soldiers of St. *James*, if they ſhould happen to be Hereticks, are not exempted from the ordinary Juriſdiction, nor from that of the Inquiſitors. The ſame Rule alſo is entirely to be obſerved as to the Soldiers of St. *John*, and as to all others whatſoever. Simanc. *tit.* 34. §. 32.

In ſome particular Religions, the Order is preſcribed, which muſt be obſerved in denouncing heretical or ſuſpected Friars; whereby the Prior of the Convent muſt make the Denunciation to the Provincial, the Provincial to the General, and the General to the Office of the Inquiſition. But that this round about Way may be avoided, when this Method cannot be ſo conveniently obſerved, the Prior alone may make the Denunciation, or any other in his Room upon his Abſence, that the Cauſe of Faith may not be delay'd.

But although the Inquiſitors may thus proceed againſt all religious and exempt Perſons, yet there are ſome religious againſt whom private Inquiſitors are not eaſily allow'd to proceed, becauſe of the Prerogative of their Dignity. Such are the Maſters General of Orders, of the Predicants, Minors, and the like; and alſo the Maſters General of the Military Religions. When ſuch are to be proceeded againſt, the proper Way is, firſt to inform the Inquiſitors General, who, upon taking Cognizance of the Cauſe, muſt decree what is neceſſary to be done, unleſs the Criminal attempts to eſcape, and their appears Danger in Delay.

*Direct. Par.* 3. *Qu.* 29. per cap. *Accuſatus.* §. *Sacerdotes.* Extra. de hæret. Qu. 31.

Farther, the Inquiſitor hath Power to proceed againſt Prieſts. *Moreover, the Prieſts and others of the Clergy, who ſhall be found to hinder the Office of the Inquiſition, either by inſtructing Hereticks and their Believers, when cited, to conceal the Truth, or ſpeak Falſehood, or by endeavouring unlawfully to deliver them, may in ſuch Caſes, ſince 'tis certain they act in Favour of heretical Pravity, be reſtrained by the Inquiſitors, and chaſtiſed with deſerved Puniſhment, either by ſeizing their Perſons, or otherwiſe, as the Fault of the Criminal ſhall require.*

And finally, they may proceed againſt all Laicks whatſoever, without Diſtinction, infected, ſuſpected, or defamed of Hereſy, of every Condition, not excepting Princes and Kings. In the latter Caſe they think it ſafer, when they proceed againſt Princes and Nobles that are Hereticks, or ſuſpected of Hereſy, to conſult the Pope, according to whoſe Will, and Manner preſcrib'd by him, they muſt proceed againſt them: Not for that they think any Deference is due to Nobility, which is forfeited by Hereſy, but to prevent Scandal. For if the Inquiſitors ſhould publickly animadvert, on Nobles, Conſuls, and Magiſtrates, they might eaſily be hinder'd, eſpecially in ſuſpected Places, and where the Inquiſitors are poor and weak.

Moreover, they may proceed againſt all Perſons whatſoever, of every Condition; and whatſoever Privileges they enjoy, if they any ways obſtruct the Office of the Inquiſition. Thus *Alexander* IV. commands in his Bull, beginning, *Cupientes. Let all Contraveners be puniſh'd by the Eccleſiaſtical Cenſure, without any Regard to their Appeal: Any Privileges or Indulgences whatſoever, granted by the ſaid See, or hereafter to be granted, ſpecially or generally, under whatſoever Expreſſion or Form of Words, to any Perſons of whatſoever Condition, Dignity, or Degree, Religion or Order, or to any Communities or Univerſities of Cities or Places, to the contrary notwithſtanding. For by theſe or any other Privileges or Indulgences, we would not have an Affair of ſo great Piety obſtructed.* The ſame Pope, in his Bull, beginning, *Ne commiſſum vobis*, commands, That if the Clergy and Religious do not aſſiſt the Inquiſitors according to their Office and Power, they may be proceeded againſt according to the Canonical Sanctions, any Privileges to the contrary notwithſtanding.

Cap. *ut commiſſi* de hæret. lib. 6.

The Inquiſitors may alſo proceed againſt thoſe, who have offended in their Province, and remove themſelves to another; as alſo againſt thoſe, who having offended any where elſe, are found in their Province. This is determined by the Council of *Narbonne*, cap. 19, 20, 21. *If there be any Criminal or Suſpected Perſons belonging to your Inquiſition, you may freely proceed againſt them as if preſent,*

*ſent, though they are and have been abſent, if within a competent Time, peremptorily aſſigned by you to them, and publiſhed in the Churches, they do not take Care to appear, or lawfully excuſe themſelves. For we judge that all belong to your Inquiſition, who have offended within the Bounds of the ſaid Inquiſition, or who have, or had any Dwelling there, when the Inquiſition was began; or who abide there upon Occaſion of any publick or private Office, or ſhall be found there, though they have not any certain Dwelling, when cited by you, whether you laid them under any Security or not, if you have begun to make any Inquiſition againſt them, or have commanded them to purge themſelves: For againſt ſuch you may and ought to proceed, whether preſent or abſent; unleſs any other Inquiſitors have already began to proceed againſt them, upon Account of ſome greater or leſſer Fault, committed elſewhere, or becauſe they have an Houſe, or for any other of the aforeſaid Reaſons. For ſince the Inquiſition, of which God is the Author, is celebrated in different Places, and by different Inquiſitors, 'tis ſafer and better that every Criminal, in whatſoever Places he hath offended, ſhould be ſubject to one, viz. to the Inquiſitor of ſuch Place, by whom he may have been firſt apprehended, for any of the aforeſaid Cauſes, without Fraud, and Danger of the Affair of Souls. Nevertheleſs, let the other Inquiſitors make Inquiſition as to every Thing they can diſcover concerning him, and acquaint thoſe Inquiſitors with it, to whom the ſaid Criminal is engaged. Thus will you fight as it were as one Man, and ſhall overcome.* See alſo *Inſtruct. Valadolit. A.* 1488. *Cap.* 8.

In like Manner, when they want the Teſtimony of other Perſons, they may cite Witneſſes from one Dioceſe to another, notwithſtanding the Conſtitution of the two Days Journey made in a General Council *. But they ſay this muſt be done with Prudence. For Perſons of Diſtinction are not eaſily to be thus removed; and therefore they muſt be ſo dealt with, that it may ſeem they are rather entreated than compelled. And leaſt they ſhould refuſe to ſubmit to the Power of the Inquiſitors, they ſay 'tis more decent and modeſt for the Judges to wait on them, or at leaſt, to ſend others to them to receive their Depoſitions. The ſame muſt be obſerved as to all other illuſtrious Perſons, Nuns, and other honourable Women. But then the Inquiſitor muſt determine what Decency and Modeſty muſt be uſed towards each of theſe, and how the Cauſes of Faith may receive the greateſt Advantage, from the Dig- *Direct. Par.* 3. *Com.* 123. Simanc. *tit.* 64. §. 13.

* The Form of the Citation is thus:

To all and ſingular Chriſtians, as well Eccleſiaſticks as Laicks of both Sexes, of whatſoever Degree, Order, Condition, Pre-eminence, Dignity, or Authority, the higheſt not excepted. Know ye, That we, by the Series and Tenor of theſe Preſents, and by our Authority, and by that of the Office we execute here, do Charge and Command, That within twelve Days after the Publication hereof (the firſt four of which, are to be as the firſt, and the next four as the ſecond, and the laſt four as a peremptory and third Canonical Admonition) all that do know or ſuſpect any of Hereſy, do come and inform againſt them, upon Pain of the greater Excommunication *latæ Sententiæ*, which ſhall be *ipſo facto* incurred, and from which they cannot be abſolved by any, but by our Lord the Pope, or by us. And we do further Certify, That whoſoever, deſpiſing the Penalty of this Excommunication, ſhall forbear to inform us, ſhall moreover be proceeded againſt as a *Favourer of Hereticks*. *Geddes* Tracts, *Vol.* I. *p.* 427, 428.

nity, Authority, Honourableneſs, and other Qualities of the Witneſſes. We have a famous Inſtance how inſolently the Inquiſitors ſometimes abuſe this Power, in *Joan*, Daughter of the Emperor *Charles* V. whom they cited before their Tribunal, to interrogate her concerning a certain Perſon, in ſome Matters relating to the Faith. The Emperor himſelf was ſo afraid of this Power, that he commanded his Daughter not to put off the Affair, but make her Depoſition without delay, to avoid the Sentence of Excommunication, as well againſt others as againſt himſelf, if ſhe believed him culpable in the ſmalleſt Matter. Upon which the moſt ſerene *Joan* gave in immediately her Depoſition before *Fernand Valdez*, Archbiſhop of *Seville*, at that Time Inquiſitor General. But if the Biſhop or Inquiſitor ſends for Witneſſes from any other Dioceſe, he is not obliged to ſend the Proceſs to the Biſhop of ſuch Dioceſe; nor can ſuch Biſhop juſtly demand it. On the contrary, he is obliged and bound to ſend the Witneſſes, after having read the Letters of the Biſhop who requires it, and ſays he hath Need of this or the other Witneſs, to give his Teſtimony in the Cauſe of Faith. The neceſſary Witneſs muſt therefore be ſent, and Care taken, if it can be done, that he may not know that he is called to bear Witneſs againſt any one in the Cauſe of Faith, leaſt he ſhould diſcover the Affair, and ſo obſtruct it; unleſs for other Reaſons it ought to be done upon full Knowledge of the Probity and Fidelity of the Witneſs.

*Lud. Par. de Orig. S. Inquiſ. l. 3. q. 5. n. 23, &c. & n. 40.*

In this Age the *Spaniſh* Inquiſition endeavoured, under a ſpecious Pretence, to extend its Juriſdiction over the Subjects of other Kings. According to the Conventions and Treaties between the Kings of *England* and *Spain*, the *Engliſh*, who the *Spaniards* call Hereticks, were allow'd, upon the Account of Commerce and Trade, to dwell in the Countries of the Catholicks, upon this Condition, That they ſhould not be moleſted for any Matters relating to Religion and Faith, unleſs they gave publick Offence; in which Caſe they were to be puniſh'd in Proportion to the Scandal given, according to Law. *Antonius de Souſa*, Counſellor of the Tribunal of the ſupreme Inquiſition in *Portugal*, enquires when the Inquiſitors may proceed againſt them, and gives many Limitations concerning ſuch Hereticks, as they call them, whereby he ſubjects them entirely to the Power of the Inquiſitors.

*Aphor. Inq. l. 1. c. 31.*

" And firſt, he aſſerts, that the Condition that Hereticks ſhall not be in-
" terrogated concerning the Faith, unleſs upon Account of Scandal, is of no
" Validity, if it is only ſupported by the King's Authority; but the Inqui-
" ſitors have full Power to proceed againſt them according to Law: Becauſe
" Lay Juriſdiction doth not extend to Matters Eccleſiaſtical, and relating to
" the Faith. And therefore, unleſs that Condition be confirmed by the Pope,
" the Inquiſitors may proceed againſt any Perſon, as ſoon as ever it appears
" that he is an Heretick, whether he diſcovers his Hereſy in their Diſtrict, or
" in any other; becauſe an Heretick ſins every where, and therefore may
" be taken and puniſh'd any where. In this Caſe, if ſuch Heretick hath re-
" ceived Inſtruction, he may be compelled to keep the Faith; if he hath not
" been inſtructed, he may be oblig'd to receive it; and if he refuſes to accept
" it, he may be puniſh'd as an Heretick.

" But

" But if this Condition ſhould be approv'd by the Pope, the Inquiſitors " may proceed againſt Hereticks giving Scandal, and puniſh them according " to the Nature of it. And firſt, he ſays 'tis probable, that the Inquiſitors " may interrogate concerning the Faith, and oblige Hereticks that give " Scandal, to receive Inſtruction, or if inſtructed, to forſake their Hereſy: " Becauſe the Condition ceaſes by the Offence, and the Obſtruction is remov'd, " and the foreſaid Hereticks remain within the Bounds of the Law. But that " the Inquiſitors may proceed thus far, they ought fully to prove that Here- " ticks have given Scandal; ſince the giving this is the Condition that confers " Juriſdiction. He thinks it however more probable, that when the Scandal is " prov'd, the Inquiſitors can puniſh ſuch Hereticks only for Scandal, and not " for Hereſy; becauſe this ſeems to be excepted by Virtue of the Condition " which the Pope hath approved. So that the Offence of Scandal gives no " Juriſdiction over any other Offence that is excepted.

" As to Scandal, he ſaith, That any one who gives it, not only in *Spain*, " but to any Catholick on the *Spaniſh* Sea, may be puniſhed as well as if he " had given it by Land; but not if it was given in his own Country, or " elſewhere without the Bounds of *Spain*.

" But if any of the aforeſaid Hereticks ſhall be accuſed to the Inquiſitors for " any foreign heretical Act, before ſuch Treaty of Commerce, and after- " wards comes to *Spain*, notwithſtanding ſuch Treaty, he may be apprehend- " ed, and obliged to receive the Faith. For the Inquiſitors, by the preceed- " ing Denunciation, have acquired a Power againſt ſuch Hereticks, which " Power is not taken away by the Treaty of Commerce. If any one removes " his Dwelling from *Spain* into *England*, to eſcape the Judgment of the Inqui- " ſitors, although he ſhould not be accuſed before, but after the Treaty, of " an heretical Act committed before it, he cannot enjoy any Benefit by it, " becauſe he ought not to be countenanced in his Fraud.

" As to the Sorts of Scandal for which ſuch an Heretick may be puniſh'd, " they are theſe, *viz.* If by Reaſons, Perſuaſions, or any other Way, he en- " deavours to perſuade any Catholick to embrace his Sect, or any Error " againſt the Faith, or to turn him aſide from the Catholick Doctrine or " Purity of Faith; if he profanes the Sacraments, or doth any Injury to " them, or to holy Images, if he doth not riſe in Preſence of the Hoſt, or " covers his Head before it, with other Things of the like Nature.

" The Puniſhment of ſuch Perſons upon theſe Accounts is arbitrary, greater " or leſs, according to the Nature of the Scandal. If it be very heinous, they " may be turned over to the ſecular Court. They may not be forced to " make that Abjuration, which, according to Law, is enjoyn'd to Hereticks " or ſuſpected Perſons; becauſe even ſuſpected Perſons are not judged for He- " reſy only, nor do they return to the Catholick Faith. But they may be " obliged to ſwear, that as long as they remain in that Kingdom, or in any " Places ſubject to it, they will not commit any Fault whatſoever againſt " the Catholick Faith.

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One may eaſily infer from this Doctrine of *Souſa*, what the Subjects of *Great Britain*, and other Kingdoms and States muſt expect, if all Things are to be done according to the Pleaſure of the Inquiſitors, and how little Safety they will find by ſuch Treaties againſt the Violence of the Inquiſitors, unleſs they are protected by the Authority of their King, againſt theſe their vile and unrighteous Practices. [Of this we have a noble Inſtance given us by *Oliver Cromwel*, Protector of *England*. *Thomas Maynard*, Conſul of the *Engliſh* Nation at *Lisbon*, was thrown into the Priſon of the Inquiſition, under Pretence that he had ſaid or done ſomething againſt the *Roman* Religion. *M. Meadows*, who was then Reſident, and took Care of the *Engliſh* Affairs at *Lisbon*, adviſed *Cromwel* of the Affair; and after having received an Expreſs from him, went to the King of *Portugal*, and in the Name of *Cromwel*, demanded the Liberty of Conſul *Maynard*. The King told him, 'twas not in his Power, that the Conſul was detained by the Inquiſition, over which he had no Authority. The Reſident ſent this Anſwer to *Cromwel*, and having ſoon after received new Inſtructions from him, had again Audience of the King, and told him, That ſince his Majeſty had declared he had no Power over the Inquiſition, he was commanded by *Cromwel*, to declare War againſt the Inquiſition. This unexpected Declaration ſo terrified the King and the Inquiſition, that they immediately determined to free the Conſul from Priſon; and immediately opened the Priſon Doors, and gave him Leave to go out. The Conſul refuſed to accept a private Diſmiſſion, but in order to repair the Honour of his Character, demanded to be honourably brought forth by the Inquiſition. The ſame *Maynard* continu'd many Years after under the ſame Character, in the Reigns of *Charles* and *James* II. and liv'd at *Lisbon* till he was about eighty Years old, without any Moleſtation from the Inquiſition. This Story was well known to all foreign Merchants, who lived at that Time, and many Years after at *Lisbon*.]

## CHAP. XV.

### *Of the Power of the* INQUISITORS.

*Direct. Par.* 3. *Qu.* 32. cap. *Abolendam.* §. *Statuimus*, de hæret.

THAT the Inquiſitor may diſcharge his Duty without any Hindrance, Power is given him to compel the Governors of Cities to ſware that they will defend the Church againſt Hereticks. *We ordain moreover, that the Earls, Barons, Governors and Conſuls of Cities and other Places, ſhall take their corporal Oath at the Admonition of the Biſhop, and ſwear that they will faithfully, effectually and ſincerely aſſiſt the Church, according to their Office and utmoſt Power, againſt Hereticks and their Accomplices, when required by the Biſhops: And if they refuſe to do this, let them be deprived of that Honour which they poſſeſs, and never be raiſed to any other. Let them farther be excommunicated, and their Countries*

*Countries put under the Interdict of the Church. If any City shall think fit to oppose these Injunctions, or neglect to punish those who do, at the Admonition of the Bishop, let their Commerce with other Cities be cut off, and let them know that they are deprived of the Episcopal Dignity. We ordain moreover, that the Chief Magistrate, Head Officer, Ruler or Consuls, or any others who preside over any City or other Place, either now, or who shall preside over it hereafter, shall, at the Command of the Diocesan, or his Vicars, or the Inquisitors of heretical Pravity, sware that they will precisely regard, and inviolably observe, and cause to be observed by their Subjects, during the whole Time of their Government, in the Countries subject to their Jurisdiction or Government, the Constitutions promulgated and approved by the Apostolick See, against Hereticks, their Believers, Receivers, Favourers and Defenders, and against their Children and Grand-children. And whosoever will not sware, and observe them, let him be deprived of the Office and Honour of his Government, as infamous, and as a Favourer of Hereticks, and suspected concerning the Faith; and let him no longer be accounted as a Chief Magistrate, Head Officer, Consul or Ruler in any Place, nor ever after be advanced to any Dignity or publick Office. And whatever he doth as Chief Magistrate, Ballive, Consul or Ruler, let it be null and void.* Cap. Ut Officium. §. Statuimus, de hæret. lib. 6.

To this there is another Oath annexed, *viz.* to extirpate with all their Power, from their Countries, those who are noted for Hereticks by the Church, which the Inquisitor may compel all temporal Lords, having perpetual or temporal Jurisdiction, to take. *Let all secular Powers, whatever be their Offices, be admonished and persuaded, and, if it be necessary, compelled by the Church, that as they desire to be accounted and held as faithful, they publickly take an Oath for Defence of the Faith, that they will endeavour with all their Might, in good Faith to root out of all Countries subject to their Jurisdiction, all Persons declared Hereticks by the Church. And at the Time that any Person is advanced to any perpetual or temporary Dignity, let him be obliged to confirm this Article by an Oath.* Thus also the Council of *Biterre*, cap. 32. *Let the Earls, Barons, Rulers, Consuls and Ballives of Cities, and other Places, swear, that they will faithfully and effectually, when required by them, assist the Church against Hereticks and their Accomplices, according to their Office, and the utmost of their Power; and that they will in good Faith endeavour with all their Might, to exterminate out of all Countries subject to their Jurisdiction, all Persons declared Hereticks by the Church.* Thus also the Council of *Tholouse*. *We forbid also the Prelates, Barons, Gentlemen, and all Persons of Estates, to give the Stewardship and Management of their Lands to Hereticks and their Believers. Neither let them presume to have or keep in their Family or their Counsel, such Persons, nor any defamed for Heresy, or who they believe to be suspected of it.* And finally the Council of *Biterre* commands, that *Hereticks shall not be entrusted with Stewardships, or Administrations, nor suffered to be in the Counsels or Families of the Great.* *Pegna* remarks here, that in the 6th Council of *Toledo*, held 686. there is a Passage concerning the Kings of *Spain*, *That when they come to the Kingdom, they shall not ascend the Royal Throne, till amongst other Stipulations by Oath, they have promised that they will not suffer any Persons who are not Catholicks to remain in their Kingdom. This*, says he, *I wish was every where recalled into Use, and inviolably maintained.* Qu. 33. Cap. Excommunicamus itaque, de hæret. §. Moneantur. Par. 3. Com. 4. Cap. 13. Cap. 28. Cap. 3.

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Q. 33. Cap. *Statutum*, de hæret. l. 6. The Inquisitors may also compel the temporal Lords to revoke all Statutes that hinder the Office of the Inquisition. *Let not any Statute of any City, Castle, Town, or other Place, by which the Affair of the Inquisition of heretical Pravity is directly or indirectly hindred, or any ways retarded, so that ye cannot freely proceed therein, be of any Force whatsoever. And we decree, that the Lord, chief Magistrate, Head Officer, Consuls or Rulers of such City and Place, by whom the said City or Place is governed, under whatsoever Name, shall be compelled by Ecclesiastical Censure, to discover such Statute to the Diocesan of the Place, or his Vicars, or the Inquisitor, or Inquisitors of heretical Pravity, without Delay. And if it shall be found such, let it be entirely repealed, or at least so far moderated, that the Processes of the Inquisition be not hindred thereby, or in any wise retarded.*

P. 3. Com. 1. Cap. *Ut Inquisitionis*, de hæret. lib. 6. Farther, the secular Magistrates are expressly commanded to seize and keep in Custody Hereticks at the Inquisitors Demand, and to carry them wheresoever they order. *That the Affair of the Inquisition against Hereticks may go on prosperously in our Times, to the Glory of God, and the Encrease of the Faith, we approve and order to be observed certain Laws published by* Frederick, *formerly Emperor of the* Romans, *then remaining in his Devotion to the Church of* Rome, *as far as they promote the Honour of God, and his holy Church. We therefore require and admonish all secular Magistrates and temporal Lords, and the Governors of Provinces, Lands, Cities, and other Places, by whatsoever Dignities, Offices or Names they may be distinguished, that as they desire to be esteemed and held as faithful, they obey the Diocesan Bishops, and Inquisitors of heretical Pravity, deputed, or hereafter to be deputed by the Apostolick See, in all Things relating to the Defence of the Faith; and that when required by them, they endeavour to seize, and keep in safe Custody Hereticks, their Believers, Favourers, Receivers, and Defenders; and that without Delay they carry or order to be carried the aforesaid Persons into the Power or Jail of the Bishops, or the said Inquisitors, or to any other Place which they or any of them shall command within the Power of the said Lords, or the District of such Rulers, where they shall be kept in close and safe Custody by Catholick Persons, deputed by the aforesaid Bishops, or Inquisitors, or any one of them, till their Affair is determined by the Judgment of the Church.* The Law of the Emperor *Frederick* here referred to, begins, *Commissi vobis*; the third Section of which is this: *Farthermore, whatsoever Hereticks shall be found in Cities, Towns, or other Places of the Empire, by the Inquisitors deputed by the Apostolick See, and other Orthodox Persons, zealous for the Faith, let such as have Authority there, be obliged to apprehend them at the Notice of the Inquisitors, and other Catholick Persons, and when apprehended, to keep them in strict Custody, till being condemned by Ecclesiastical Censure, they perish by an accursed Death, who have condemned the Sacraments of Faith and Life.* Thus also *Innocent* IV. by a Rescript, beginning, *Ad extirpanda*, commands, *Let every Magistrate or Ruler, cause the said Hereticks, when taken, to be carried, at the Expence of the Place where he presides, wheresoever the Diocesan or his Vicars shall order, within the Jurisdiction or District of such Diocesan, Bishop, City, or Place.* And that these Words relate to the Inquisitors also, the Beginning and whole Substance of that Rescript shews, which *Clement* IV. hath also declared by another Rescript, beginning, *Ad extirpanda.*

And

And finally, the Emperor *Frederick* hath commanded by the ſame Law, all Governors, as well Eccleſiaſtical as Secular, kindly to receive the Inquiſitors, and defend them againſt the Incurſions of Hereticks, §. 10. *We hereby declare, that we take under our ſpecial and Imperial Protection the preaching Friars of the Predicant Order, deputed for the Affair of the Faith againſt Hereticks in the ſeveral Parts of our Empire; as alſo all others ſent for, and who come to judge Hereticks, unleſs any of them be proſcribed by the Empire, where-ever they go, abide, or return; and 'tis our Pleaſure that they receive no Offence from any, but that they receive the Aſſiſtance, and have the Recommendation of all the Faithful of the Empire. We therefore command you, and all of you, that whereſoever, and to whomſoever of you they come, ye receive them kindly, and preſerve their Perſons free from the Incurſions of Hereticks that lie in wait for them, and that ye grant them all Counſel, ſafe Conduct, and Aſſiſtance, in their Execution of Affairs ſo acceptable before God.*

The Inquiſitors may alſo exact an Oath from the Magiſtrates, for their obſerving not only the Laws of the Emperor *Frederick* againſt Hereticks, but all other Statutes as well Eccleſiaſtical as Secular, as appears from two Reſcripts of *Innocent* IV. beginning, *Orthodoxæ fidei*. The ſame hath been particularly decreed by the Council of *Biterre*, cap. 31. *And that by the Help of the Lord Hereſy may be the better and more ſpeedily extirpated, and the Faith planted in the Earth, ſee that the Statutes and Laws made concerning theſe Things by the Apoſtolick See, and its Legates, and the Princes, be moſt exactly obſerved.* *Com.* 3.

As there are many Difficulties that daily ariſe in the Puniſhment of Hereticks, and the Cauſes of Faith, which are not fully and plainly determined by the Laws, for this Reaſon, and to prevent the Neceſſity of conſulting the Pope in all doubtful Caſes, *Innocent* IV. by a Reſcript, beginning, *Cum negotium:* and *Alexander* IV. by another, beginning, *Præ cunctis*, gave to the Inquiſitors free Power of interpreting the Eccleſiaſtical and Secular Statutes againſt Hereticks, their Believers, Favourers, *&c.* as often as there appears in them any Thing ambiguous or obſcure. This is certainly a very large Power, which the *Seville* Inſtructions have alſo granted to the Inquiſitors. *Inſt.* 1. *cap.* 28. *Direct. part.* 3. *qu.* 85. *com.* 12.

*Simancas* obſerves here, "That ſmaller Matters only, and ſuch as 'tis impoſſible to bring within the Laws, are left to the Determination of the Inquiſitors, and that they cannot of themſelves decide Matters of greater Moment, which the Laws have not, but that they muſt conſult the Inquiſitor General and Senate about them. He adds, that even as to thoſe Things which are left to themſelves, they muſt not judge according to their own Will and Pleaſure, but conformable to the Statutes and Laws; nor follow their own Conſcience, unleſs it be entirely informed by the Laws." *Tit.* 34. §. 34, 35.

[*Paramus* is of the ſame Mind with *Simancas*, altho', as he ſays, "The Words of the *Seville* Inſtruction, *cap.* 28. ſeem to imply the contrary. For thus they order. *It muſt be left to the Pleaſure and Prudence of the Inquiſitors, to proceed according to the Diſpoſition of the Law, in thoſe Things which are not expreſsly declared, and according to their own Conſcience.* However, *Paramus* *Lib.* 2. *tit.* 2. *cap.* 4. *n.* 3, 4, *&c.*

" thinks, that if theſe Words are ſtrictly examined, they will import no-
" thing more, than that thoſe Cauſes of the Faith, which are left to the Plea-
" ſure of the Inquiſitors, muſt be judged and decided according to the San-
" ctions of the Laws. And thus the Judges muſt ſatisfy their Conſcien-
" ces, becauſe the Words of the Inſtructions, as of all other Statutes, re-
" ceive their Interpretation according to the common Law. Now, accord-
" ing to the Diſpoſition of the Law, the Judge muſt form his Judgment,
" not according to his Conſcience, but according to the Allegations and
" Proofs. *From which this is inferred, that tho' the Judge certainly knows in his*
" *Conſcience, that the Perſon accuſed is not guilty of the Crime, yet if he be convicted*
" *by Proofs againſt him, the Judge ought, and without Sin may condemn him.* How-
" ever, *Paramus* believes it to be ſafer, and more agreeable to Religion, for
" the Judge, in ſuch a Caſe, to excuſe himſelf from acting, and to deſire of
" his Prince that the Cauſe may be delegated to ſome other, or he may thus
*In Zanch. c. 17.* " delegate it to another himſelf.] But *Camillus Campegius* thinks, that all
" Things, which the Laws have not ſo clearly determined, are left to the In-
" quiſitors Declaration or Interpretation; that whatever Things are obſcure
" and ambiguous, may be expounded and declared by the Inquiſitor; and
" that therefore whatever is not determined by the Law is committed to the
*Aphor. Inq. l. 2. c. 1. §. 11, 12.* " Pleaſure of the Judge." *Souſa* gives a yet larger Power to the Inquiſitors,
and allows not only that they can interpret what the Laws and Statutes have
not, if any Thing doubtful occurs, but that " when there are ſeverally equal-
" ly probable Opinions in any Caſe, they may follow which they will, and
" when there is no Scandal, judge ſometimes according to one, and ſometimes
" to another. He adds, that 'tis more likely, that the Inquiſitor cannot fol-
" low the leſs probable Opinion, unleſs it happens to be more eſtabliſhed
" by Cuſtom, and he knows that the Sentence will be repealed by the ſu-
" pream Council."

*Qu.* 56. 'Tis alſo further granted to the Inquiſitors, ever ſince the Beginning of the
delegated Inquiſition, that for the Defence of their Perſon and Family, and
the better to apprehend Hereticks, their Receivers, Favourers, *&c.* they
may have their Officials, and an armed Attendance, and bear Arms them-
*Com.* 105. ſelves. But becauſe it often happens, that Abuſes creep in under the Pretence
of Privilege, unleſs ſuch Privilege be wiſely uſed, *Clement* V. in the Council
of *Vienne*, about the Year 1310. confirmed this Privilege to the Inquiſitors,
but took away the Abuſe that had crept in. Cap. *Nolentes* in Clement. §. *porro*.
*Moreover, we ſtrictly forbid the Inquiſitors, in any manner to abuſe their Privilege*
*of wearing Arms, and to have any other Officials but ſuch as are neceſſary to*
*help them in the Execution of their Office.* And this Privilege is ſo peculiar
to the Inquiſitors in Favour of the Faith, and from the Hatred of heretical
Pravity, that their Officials, who in *Italy* are called *Croſs-bearers*, and in *Spain*
*Familiars*, and who are commanded by the Holy Office to denounce or appre-
hend Hereticks, or to wait on the Inquiſitor whenever he commands it, may
carry Arms either by Night or by Day, any civil or municipal Law made, or
to be made, to the contrary notwithſtanding. If indeed any one ſhould make a

Law

Law to prohibit the Officials of the Inquiſitors to wear Arms, he might be puniſhed as an Hinderer of the Holy Office. If the Inquiſitors own Servants are not ſufficient, he may call in the Aid of the ſecular Arm. *Finally, that you and every one of you may have immediate and inviolable Power of apprehending Perſons concerning the aforeſaid, we will, that in order to the more uſefully executing all theſe Things, you may, when there is Need, call in the Aſſiſtance of the ſecular Arm, and put all Contraveners under Eccleſiaſtical Cenſure, without Benefit of Appeal.* *Qu.* 57. *c. ut officium. §. denique.*

The Inquiſitors may alſo puniſh thoſe, who preſume to injure them in Word or Deed; and ſo much the rather, becauſe they think that their Office ought to be eſteemed more holy and venerable than that of all other Judges whatſoever. Simanc. *tit.* 34. §. 28.

They may compel any Witneſs, even tho' a Perſon of Diſtinction, to appear before them, and to give Evidence in a Cauſe of the Catholick Faith. But this is ſo explained by *Campegius*, "As that the Inquiſitor can only compel "the Witneſs to give his Evidence, when it doth not expoſe him to any "imminent Danger; if it doth, he cannot be compelled. The Judge may "alſo force them to appear, by forming a Proceſs againſt them, that they "refuſe to appear and bear Witneſs, becauſe corrupted by the Criminal "with Money, which obliges them to be forth coming, leaſt they ſhould "be falſely condemned. If any refuſe to appear, the Judge may cite them, "and proceed againſt them; and if they dont't then appear, he will treat "them as actually corrupted. He may farther puniſh them for Contumacy "with Confiſcation of their Effects." Theſe are the different Opinions of the Doctors, as alledged by *Campegius*. *In* Zanch. *cap.* 13. *d.*

Beſides this the Inquiſitors may compel the Witneſſes to give Evidence, by threatning them with a Fine, or taking Pledges from them, by Excommunication and Torture. *Carena* tells us, that in the ſupream Inquiſition at *Rome*, a certain Perſon was forced by Torture to take the Oath which he refuſed. Caren. *part.* 3. *tit.* 7. §. 1. *n.* 7.

If the Advocates or Notaries give any Aſſiſtance or Help to Hereticks, or their Favourers, the Inquiſitors muſt proceed againſt them. *Since a ſpecial Injunction is uſually more regarded than a general Command, we ſtrictly forbid you Advocates and Notaries from granting in any Inſtance your Help, Counſel or Favour to Hereticks, their Believers, Favourers or Defenders, and from giving them your Aſſiſtance in Cauſes or Facts, or to any who make any Diſputes under their Examination, and from drawing for them in any wiſe publick Inſtruments or Writings; which if any one ſhall preſume to do, he ſhall be ſuſpended from his Office, and be ſubject to perpetual Infamy.* cap. *ſi adverſus nos.* de hæret. *Direct. Qu.* 39.

They have Power alſo to command thoſe who have Proceſſes, or any other Inſtruments drawn againſt Hereticks, to deliver them to them. *We grant you alſo the Power of cauſing all Perſons to deliver to you the Books, or Regiſters, and other Writings in which the Inquiſitions and Proceſſes againſt Hereticks, carried on by any by the Authority of the Apoſtolick See, or its Legates, are contained. Alexander* IV. ordained the ſame by a Reſcript, beginning, *Cupientes*, ſent to the *Predicant* Friars, Inquiſitors of heretical Pravity in *Lombardy*, and the Marquiſate of *Genoa*: *Deſiring that the Affair of the Inquiſition againſt heretical* Cap. *ut commiſſi vobis.* de hæret. l. 6. *Com.* 88.

*Pravity, committed to your Care, may happily proſper in your Hands, to the Glory of God, and Increaſe of the Catholick Faith, we by Authority of theſe preſent, grant to you, and every one of you, the Power of compelling by the Eccleſiaſtical Cenſure, either by your ſelves, or by others, whom you or any one of you ſhall judge proper for this Buſineſs, all thoſe who have, or have had any Writings or Inſtruments of the Inquiſition, or belonging to this Office, made hitherto by any, or to be made, againſt Hereticks, their Believers, Receivers, Favourers or Defenders, to deliver them to you, or ſome one of you, without any Difficulty or Danger of Delay, without allowing them any Benefit of Appeal.*

From this Reſcript they infer, that the Criminal, in a Cauſe of Hereſy, is obliged to deliver the proper Inſtruments againſt himſelf to the Fiſcal, from which he may gather his Intention, and form his Accuſation; although regularly the contrary is determined by Law; and not only againſt himſelf, but againſt every other Perſon the Fiſcal proceeds againſt; which though it doth not take place in other Caſes, yet doth in Favour of the Faith. So that if *Titius* is apprehended for Hereſy, and delivers an heretical Book, or the like, to *Sempronius*, *Sempronius* is to be compelled to produce it not only againſt himſelf, but againſt *Titius* too. And what in this Caſe is ſaid of Books and Writings, extends to all other Things which may help to find out the Truth, which are to be all given in, in Favour of the Faith.

Calder. *de modo proced. cont. hæret. f.* 411.

Excommunication alſo is a Branch of the Inquiſitorial Power, which they have a very ample Power of inflicting, becauſe their Excommunication is more heavy than that of others, and that in a fourfold Reſpect. Firſt, becauſe whoever are excommunicated by them, muſt be put under the Ban by a publick Edict and Proclamation. Secondly, their Effects muſt be confiſcated, and the Inquiſitors may compel the Magiſtrates and Governors to both. This appears from a certain Privilege of *Innocent* IV. beginning, *Cum Fratres Prædicatores*; in which he writes to the Barons, and other Lords, and Governors, and Cities, ſaying, *We have thought it meet to beſeech, exhort and admoniſh all of you, and ſtrictly charge you, by our Apoſtolick Writings, and command that all thoſe who ſhall be excommunicated, and declared publickly to be excommunicated, by the ſaid Inquiſitors, or others at their Command, for the Crime of Hereſy, or for defending, receiving, or favouring Hereticks, be put under the publick Ban, and have all their Effects confiſcated.* Thirdly, becauſe ſuch who are excommunicated by the Inquiſitors, and perſiſt with an obſtinate Mind for the Space of a Year under Excommunication, muſt be judged as Hereticks, and become ſubject to the Puniſhments publiſhed againſt Hereticks. As appears from the Law of the Emperor *Frederick*, beginning, *Patarenorum*; and from many other Laws. Fourthly, becauſe they can excommunicate with the greater Excommunication all who partake with Perſons excommunicated by them, ſuch as Hereticks, their Believers, Favourers, Receivers and Defenders, according to the Bulls of *Innocent* and *Alexander* IV. beginning, *Noverit univerſitas veſtra. But if any ſhall contemptuouſly refuſe to avoid ſuch Perſons, after being marked out by the Church, let them be excommunicated, and otherwiſe puniſhed with due Severity.*

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They have alſo Authority to excommunicate Lay Perſons diſputing concerning the Faith, publickly or privately; as alſo all who do not diſcover Hereticks either by themſelves or ſome other Perſon, as appears from theſe Letters of the Popes.

Farther, the Power of the Inquiſitors was formerly very great, becauſe they could reſerve to themſelves the Authority of encreaſing or leſſening the enjoined Penances. *We alſo grant you Power, when you ſhall think it proper, to mitigate or change, in Concert with the Prelates, to whoſe Juriſdiction they are ſubject, the Puniſhment of thoſe, who are ſhut up in Priſon or Jayl, if they humbly obey your Commands.* The Inquiſitors may alſo encreaſe the Penances enjoined to ſuch who are converted upon account of their Indevotion, Wickedneſs, or Quarrelling, *i. e.* if they don't bear their Impriſonment with Patience, or if there be any other Tokens, that they don't in all Things obey the Beck of the Inquiſitors. This the Council of *Narbonne* hath ordered the Inquiſitors to take Care of. Cap. 7. *This Reſtriction always carefully obſerved, that it ſhall be lawful for you, or other Inquiſitors, or thoſe to whom the Church of* Rome *ſhall think fit to commit this Affair, or thoſe to whoſe Office it belongs, at any time, and for every reaſonable Cauſe, to add to, or take from the Penances enjoined them, according to your Will and Pleaſure.* Yea, this Power was given to the Inquiſitors by the Council of *Biterre, Cap.* 22. even though there ſhould be no freſh Reaſon for it. *You ſhall always retain this Power, of ſending the aforeſaid Hereticks to Jayl, without any new Cauſe, when you ſhall judge it expedient for the Affair of the Faith.* Hence we find, that in the Book of the Sentences of the *Tholouſe* Inquiſition, the Inquiſitors ordinarily reſerve this Power to themſelves. When they ſhew Grace to condemned Perſons, and releaſe them from wearing their Croſſes, and enjoin them other Penances in the room of this, ſuch as Pilgrimages, viſiting of Churches, and the like, they add; *Reſerving to our ſelves and Succeſſors in this Office, the Power of adding to, leſſening, and commuting in all the aforeſaid, and of enjoining them to wear their Croſſes, if it ſhall ſeem good to us and our Succeſſors, even without any freſh Cauſe.* When they bring them out of Jayl, and change the Puniſhment of Impriſonment into that of wearing the Croſs, or any others, they add; *Reſerving to us, and every one of us, and our Succeſſors in the Office of the Inquiſition, full Power over the aforeſaid Perſons, and every one of them, of bringing them back, and recalling to the aforeſaid Priſon, even without any freſh Cauſe; as alſo of encreaſing or leſſening, mitigating, or remitting in the aforeſaid, if it ſhall ſeem convenient, to us, or any one of us, or our Succeſſors.* Nor do they reſerve this Power to themſelves only in conferring Graces, but even in the pronouncing Sentences. Thus this Caution is ordinarily ſubjoined to thoſe Sentences, by which Priſoners are condemned to wear Croſſes. *Reſerving to our ſelves and our Succeſſors in this Office, the Power of encreaſing, diminiſhing, mitigating, commuting, or even of remitting the aforeſaid Penance or Puniſhment.* But when they condemn any one to Impriſonment, they ſubjoin a larger Caution, and more fully expreſſed. *We reſerve to our ſelves, and to our Succeſſors in this Office, full and free Power of mitigating, diminiſhing, encreaſing, commuting, or even of remitting the aforeſaid Penance or Puniſhment; as alſo of paſſing*

Cap. *ut commiſſi.* de hæret. lib. 6.

fol. 85. b.

fol. 100.

*ſing other Sentences upon any one or more of the aforeſaid, if they ſhall be found maliciouſly to have ſuppreſſed any Things concerning the Fact of Hereſy, or to have involved any innocent Perſon in the ſaid Crime of Hereſy.* Even though they ſhould have forgot to have added this Caution to their Sentences, the Doctors however think, that the Inquiſitor hath and may exerciſe the Power of encreaſing, diminiſhing, remitting and commuting the enjoined Penances. *Per Cap.* Ut commiſſi. *de hæret. lib.* 6.

Royas, *Aſſert.* 48. *part.* 2. But now this Power is not granted to the Inquiſitors in *Spain*. For this kind of Diſpenſation belongs at this Day there, only to the Inquiſitor General, becauſe the Inquiſitors and Ordinaries have already diſcharged their Office. *Inſtruct. Hiſpal. cap.* 7. and *Tolet. cap.* 9. *Hiſt. Concil. Trid.* l. 6. p. 550.

## CHAP. XVI.

### *Of the* POWER *of the* INQUISITORS *in prohibiting* BOOKS.

THAT this may be more diſtinctly explained, and that it may be known what and how great the Power is which is committed to the Inquiſitors, concerning the Prohibition of Books; I ſhall give you an Account of this Affair from the very Riſe and Origin of it.

The firſt of whom we read, who prohibited Books of Religion, was *Antiochus Epiphanes*, whoſe Servants are ſaid to *have rent in Pieces the Books of the Law, which they found, and to have burnt them with Fire; and to have put to Death every one with whom was found the Book of the Teſtament, or who conſented to the Law*, 1 Maccab. i. 56, 57. *Diocleſian* was the next, that moſt cruel *l.* 8. *c.* 2. Perſecutor of the Chriſtian Faith; of whom *Euſebius* relates, that by an Edict, he commanded *the ſacred Books to be burnt with Fire.* Yea, he adds in Baron, *a.* 302. *n.* 22. the ſame Chapter; *We ſaw with our Eyes the ſacred Books of the divine Scriptures burnt in the publick Forum.* Farther, the Preſidents in every Province, City, Town and Village, took Care that the Chriſtians ſhould deliver up their ſacred Books, and they compelled them to it by moſt grievous Torments. Hence all thoſe were called *Traditores*, Deliverers up of the Scripture, who terrified by ſuch cruel Puniſhments, delivered up the Books which they had.

The Chriſtians themſelves afterwards brought into the Church this Cuſtom of raging againſt the Books of Hereticks, as they call them, as well as againſt their Perſons, which was firſt derived from the Heathens, when the Socrates, *Ec. Hiſt. l.* 1. *c.* 6. Empire fell into the Hands of Chriſtian Emperors. *Conſtantine*, after the Concluſion of the Synod of *Nice*, commanded the Books of *Arius*, condemned by it, to be burnt under the Penalty of Death. *Theodoſius* and *Valentinian* decreed the ſame concerning *Neſtorius*, his Followers and Books, l. *damnato. c.*

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de hæret. *Valentinian* and *Martian* concerning *Eutyches* and his Books. l. *quicun.* §. *Nulli.* and *Omnes.* c. de hæret. *Juſtinian* ordained the cutting off the Hand of thoſe who wrote out the Books of *Antimus*, condemned in the fifth Synod. And 'tis worth Obſervation what *Brunus* ſays concerning Hereticks and Schiſmaticks; *That it appears to have been a moſt ancient Cuſtom of the Church, that when Hereſies were condemned, their Writings ſhould be deſtroyed, from hence; that of all the Hereſies, which for a long Time continued in the Church, the Books containing them are now no where extant, and the Opinions of moſt of them would have been altogether unknown, unleſs the Remembrance of them had been preſerved in the Writings of the holy Fathers, who endeavoured to confute them.* l. 6. c. 6. §. 2.

All theſe Laws againſt the Books of Hereticks were made by Emperors who had the legiſlative Power in their Empire. ["But after the Year 800, the Popes of *Rome* uſurped to themſelves many Branches of the civil Government, forbidding the Reading of Books, and commanding them to be burnt, after they had condemned the Authors of them; but till this very Age, there are but very few Books found, that are prohibited after this Manner: At leaſt, the univerſal Prohibition of reading Books, containing heretical Doctrine, or ſuſpected of Hereſy, under the Penalty of Excommunication, without any other preceding Sentence, had not yet grown into Practice."] But after that the Pope had arrogated to himſelf the Judgment of the Faith, and order'd himſelf to be acknowledged the infallible Judge of all Controverſies of the Faith, he alſo aſſumed to himſelf all Judgment concerning Books, and the Power of prohibiting them. From this Claim of Power have ſprung thoſe expurgatory Indexes, by which, not only the Books of ſuch Authors as are condemned by the Church of *Rome* are prohibited, but the Writings of all, even of the greateſt *Romaniſts* themſelves, are ſubjected to a Cenſure; and whatſoever is found in them contrary to the Opinions of the *Roman* Church, or not altogether agreeable to them, is marked with a †, and commanded to be blotted out; and every Place is ſo carefully noted, that no one can be ignorant, what Words are to be eraſed. So that if the Popes Command, as contained in that Index, is to be oberved; we ſhall read no Books as written by the Authors, nor have their Senſe, but only that of the Court of *Rome*. ["Pope *Martin* V. by his Bull excommunicated all Sects of Hereticks, but eſpecially the *Wickleſiſts* and *Huſſites*; but without any Mention of thoſe who read their Books, altho' they were in the Hands of a great many. But *Leo* X. having condemned *Luther*, forbid alſo all his Books to be read under Pain of Excommunication. The Popes after him, by the Bull, *In cœna*, condemned and excommunicated all Hereticks, and therein devoted alſo to the ſame Curſes, all thoſe who read their Books. And in other Bulls, againſt Hereticks in general, did thunder out the ſame terrible Sentences againſt the Readers of thoſe Books. This occaſioned a very great Confuſion: For as the Names of the Hereticks who were condemned were not publiſhed, Perſons were to judge of the Books, rather from the Nature of the Doctrines *Hiſt. Con. Trid. l. 6. p. 551.*

" ctrines than the Names of the Authors. And as different Perſons judged " differently concerning theſe, the Conſciences of Men were troubled with " innumerable Scruples. Thoſe Inquiſitors of heretical Pravity who were " more diligent, made Catalogues of ſuch Authors as they knew; but as " they had not compared them with each other, the ſame Difficulty ſtill " remained.

But that no one might be at a Loſs for the future, what Books the Pope had prohibited the reading of, by his Bull, it was neceſſary to make an Index of the prohibited Books. The *Roman* Authors differ amongſt themſelves who order'd the firſt Index to be made. Father *Paul* tells us, that *Philip*, King of *Spain*, firſt endeavour'd to prevent this Confuſion, by giving a more convenient Form, and by a Law, made 1558. order'd, That the Catalogue of Books, prohibited by the Inquiſitors of *Spain*, ſhould be printed. After his Example, *Paul* IV. commanded at *Rome*, That thoſe who were at the Head of the Office of the Inquiſition, ſhould make ſuch an Index, and print it, which was ſhortly after done, *Anno* 1559. But *Gretſer* ſays, that the Index of prohibited Books was printed in *Italy*, by the Papal Authority, *An.* 1548. And a larger one, *An.* 1552. Another larger one yet, *An.* 1554. Another, *An.* 1559. by Pope *Paul* V. much larger than the others. But whether the Pope, or *Philip* King of *Spain* firſt ordered ſuch an Index to be made, 'tis certain that *Paul* IV. publiſhed one, *An.* 1559. " In this they went many " Steps farther than in former Ages, and laid the Foundations of maintaining and greatly enlarging the Authority of the Court of *Rome*; depriving " Men of that Knowledge which is neceſſary to every one's defending himſelf from their unjuſt Uſurpations: For till this Time the Prohibition of " Books never extended to any but thoſe of Hereticks; neither were any Books " forbidden to be read, unleſs the Author had been firſt condemned. But " this Index was divided into three Parts. The firſt contains the Names of " thoſe, all whoſe Works, whatever be the Argument, even though prophane, are abſolutely forbidden. And in this Liſt are placed, not only " ſuch who have profeſſed a Doctrine contrary to the *Roman*, but many of " thoſe alſo, who have lived and died in the Communion of the Church of " *Rome*. In the ſecond are contained the Names of thoſe Books which have " been ſeverally condemn'd; other Books of the ſame Authors not being in " the leaſt prohibited. The third Part contains certain anonymous Writers, " with the Addition of a general Clauſe, by which all Books are prohibited, which have not the Names of their Authors, from the Year 1519. " Under this, many Authors and Books are condemned, which all learned " Men in the Church of *Rome* have been converſant in, for one, two and " three hundred Years paſt, with the Knowledge of, and without any Contradiction from the Popes of *Rome*, during all that Time. Amongſt the " modern Books, ſome were condemned that were printed in *Italy*, and even " at *Rome*, with the Approbation of the Inquiſition, and even by the Pope's " own Bull. Such are the Annotations of *Eraſmus* on the *New Teſtament*, " approved by *Leo* X. after he had read them over, by a Bull dated at " *Rome*,

*Hiſt. Con. Trid.* ibid.

*De jure prohib. lib. l.* 1. *c.* 19.

*Hiſt. Con. Trid. p.* 552.

" *Rome, Sept.* 10, 1518. But above all this is remarkable, that under Colour of " Faith and Religion, the Books of ſuch Authors are prohibited and condemn- " ed with the ſame Severity, in which the Authority of Princes, and the Civil " Magiſtrate is defended againſt the unlawful Uſurpations of the Eccleſiaſticks; " and in which the Power of Councils and Biſhops is maintained againſt the " unjuſt Encroachments of the Court of *Rome:* And finally, all thoſe which " plainly detect their Hypocriſy and Tyranny, by which, under the Diſguiſe " of Religion, they impoſe on the People, or perſecute them. In a Word, " Religion was never before made ſubſervient, by ſuch an admirable Myſte- " ry, to bereave Men of their Senſes. Yea, this Inquiſition went one Step " farther, and made a Catalogue of ſixty two Printers, prohibiting all the " Books they had ever printed, or publiſhed, of whatſoever Author, Art, " or Language, and that with an Addition of great Moment, by which they " prohibited at once, all the Books that had been printed by any Printers, " who had ever printed a ſingle Book of Hereticks. So that there ſcarce re- " mained any one Book to be read. And what added to this Severity of the " Inquiſitors was, that the Penalty pronounced againſt thoſe who read the " Books contained and prohibited in that Catalogue, was that of Excom- " munication, *latæ ſententiæ*, reſerved to the Pope, the being deprived and " made incapable of Offices and Benefices, perpetual Infamy, and other ar- " bitrary Penalties. *Pius* IV. who ſucceeded *Paul*, revoked this ſevere Cen- " ſure, and referred this Index, with the whole Affair, to the Council of " *Trent.*

" Amongſt the Fathers at *Trent*, there was a great Difference of Opinions *Hiſt. Conc. Trid.* p. 553. " about the making this Index. For ſome thought that this of *Paul* IV. " was ſufficient, as being moſt perfect in it ſelf; and that if any one ſhould al- " low the Books prohibited in this Catalogue, he would declare that this " Proceeding at *Rome* was imprudent, which would be to take away all Au- " thority from the Index already publiſhed, and from the Decree now to be " made; becauſe it was a common Maxim, That new Laws leſſen their own " Value, more than they do that of the old ones. *Lewis Beccatellus*, Arch- " biſhop of *Raguſi*, ſaid there was no Need of Books, becauſe there was " more than enough of them ſince the Invention of Printing; and that it was " much better that many Books ſhould be prohibited without Cauſe, than " that one which deſerved Prohibition ſhould be allowed. Others thought " that the Council ſhould take this Affair of the Books into their Conſiderati- " on, as if there had not been any Prohibition at all before; becauſe that that " which was made by the Inquiſitors at *Rome*, was for that Name hateful to " the *Ultramontanes*, and was ſo very ſevere, that no Body could obſerve it. " That there was no juſter Reaſon in the World for repealing a Law, than " that it cannot be obſerved, or at leaſt, not without great Difficulty; eſpe- " cially if the Puniſhment annexed to the Breakers of it was too ſevere."

At Length, the Fathers, after ſeveral Debates, not being able to agree, thought fit to refer the whole Affair to the Pope. Upon this, Pope *Pius* IV. as *Clement* VIII. reports, in his Bull, *October* 17, 1595.] took the

Advice of certain Prelates of great Learning and Wiſdom, and publiſhed an Index of the prohibited Books, and certain Rules, by his Letters, in Form of a Brief. The ſame *Pius*, in his Bull of *March* 24, 1564. ſays, That the Index was preſented to him by Order of the Synod, that it ſhould not be publiſhed before it was approved by him. Wherefore, after it had been examined at his Command, by ſome of the moſt learned and approved Prelates, he approved it, together with the Rules put before it, commanding it to be received by all, and the Rules to be obſerved; adding this ſtrict Charge: *We forbid all and ſingular, as well Eccleſiaſtical Perſons, ſecular and regular, of whatſoever Degree, Order and Dignity, as Lay, of whatſoever Honour and Dignity, to read, or dare to have any Books, contrary to the Order of theſe Rules, or the Prohibition of the ſaid Index. And if any one ſhall act contrary to thoſe Rules, and that Prohibition, by reading, or having the Books of Hereticks, or the Writings of any Author condemned and prohibited for Hereſy, or Suſpicion of falſe Doctrine, he ſhall,* ipſo jure, *incur the Penalty of Excommunication; and for this Reaſon Inquiſition and Proceſs may be made againſt him, as ſuſpected of Hereſy; beſides other Penalties in this Caſe incurred, ordained by the Apoſtolick Sea, and ſacred Canons.* Thus by the Command of *Pius* IV. this Index of prohibited Books came forth, *An.* 1564. "But becauſe it was not received in ſome Places "and Provinces, becauſe ſome Books were prohibited by it, which learned "Men could not be deprived the reading of without great Inconvenience; "and becauſe ſome Things were obſcure, and needed Explication, they made "certain Rules, to provide, as well as they could, for the Advantage and "Studies of learned Men, without any detriment to Truth and Religion." Hence *Sixtus* V. order'd it to be enlarged with many Rules; but died before he had brought it to Perfection. *Clement* VIII. commanded it to be retained, and enlarged it, and thus encreaſed and enlarged, he confirmed it, and the Rules prefixed to it; and commanded it to be publiſhed, *An.* 1595. The firſt of theſe Rules is this: *All thoſe Books, which either the Popes, or General Councils have condemned, before the Year* 1515. *and which are not in this Index, are to be looked on as really condemned here, even as they were condemned before.* By the fourth Rule, the common reading of the Holy Scripture is forbid, in theſe Words:

*Since it is plain by Experience, that if the ſacred Writings are permitted every where, and without Difference, to be read in the Vulgar Tongue, Men, through their Raſhneſs, will receive more Harm than Good; let the Biſhop or Inquiſitor determine, with the Advice of the Pariſh Prieſt or Confeſſor, to whom to permit the reading of the Bible, tranſlated by Catholick Authors, in the Vulgar Tongue; according as they ſhall judge whether it be moſt likely that ſuch reading the Scripture may do harm, or tend to the Encreaſe of Faith and Piety. Let them alſo have the ſame Power as to all other Writings. But if any without ſuch Leave, ſhall preſume to read or have them, without firſt ſhewing the Bible to the Ordinaries, he ſhall not receive the Abſolution of his Sins. And as to all Bookſellers, who ſhall ſell the Bible tranſlated into the Vulgar Tongue, without ſuch Leave, or by any other Method ſhall publiſh them; let them forfeit the Price of the Books, and let the Money be given to pious Uſes by the Biſhop; and let them be ſubject to other Puniſhments at the Plea-*

*ſure*

*ſure of the ſaid Biſhop, according to the Nature of the Offence. As to Regulars they ſhall not read or buy them, without Leave firſt had from their Prelates.* To this Rule there is added in the Index this Obſervation. *It muſt be remarked, concerning this fourth Rule of the Index of Pope* Pius IV. *of bleſſed Memory, that no new Power is given by this Impreſſion or Edition to the Biſhops or Inquiſitors, or the Superiors of the Regulars, to grant Licenſe of buying, reading and keeping the Bible publiſhed in the Vulgar Tongue. Since hitherto, according to the Command and Uſe of the holy* Roman *and Univerſal Inquiſition, this Power of granting ſuch Licenſes to read and keep the Bible, and other Parts of the ſacred Scripture, as well of the New as the Old Teſtament, publiſhed in any Vulgar Language, is taken from them; as alſo all Summaries, and hiſtorical Abridgments of the ſaid Bible or Books of the holy Scripture, written in any Vulgar Language whatſoever. And this muſt be inviolably obſerved.*

In the tenth Rule there are ſeveral Things to be obſerved about the printing of Books, *viz.* that no Books ſhall be publiſhed at *Rome*, unleſs firſt examined by the Vicar of the Pope, and the Maſter of the holy Palace, or Perſons deputed by the Pope. And as to other Places, unleſs it be approved by the Biſhop, or ſome one deputed by the Biſhop, or the Inquiſitor of heretical Pravity, and ſuch Approbation ſubſcribed with their Hand. If any publiſh Manuſcript Books without Approbation, they are ſubject to the ſame Penalties as the Printers. The Shops of Bookſellers are order'd to be often ſearched, and they themſelves are commanded to keep a Catalogue of all the Books they ſell, and to keep no other, nor to deliver them upon any Account, without Leave of ſuch as are deputed, under Penalty of loſing their Books, and other Puniſhments to be inflicted at Pleaſure of the Biſhops and Inquiſitors. All Buyers, Readers, or Printers, are alſo puniſhable at their Pleaſure. If any one brings any Books into a City, he muſt acquaint the ſaid Deputies with it, and not give or lend them to be read to any Perſon without ſhewing the Books to them, and having their Leave.

Finally, in the Inſtruction given to thoſe who are intruſted with the Care of prohibiting, purging and printing Books, this Oath is ordered to be taken by Printers and Bookſellers. *Let Printers and Bookſellers promiſe upon Oath, before the Biſhop or Inquiſitor, and at* Rome, *before the Maſter of the Holy Palace, that they will perform their Service in a Catholick, ſincere and faithful Manner; and that they will obey the Decrees and Rules of this Index, and the Edicts of the Biſhops and Inquiſitors, as far as relates to their Arts, and will not knowingly ſuffer any one to ſerve under them, who is defiled with heretical Pravity.* Cap. de *Impreſ. Libros.* §. 6.

After this *Trent* Index was publiſhed, *Philip* II. King of *Spain*, commanded another larger one to be printed at *Antwerp*, *An.* 1571. at the Houſe of *Chriſtopher Plantin*, with this Title: *The expurgatory Index of Books, publiſhed in this Age, either mixed with Errors contrary to ſound Doctrine, or with the Gall of unprofitable and offenſive Scandal, according to the Decree of the holy Council of* Trent, *drawn up in the* Netherlands, *by the Command of his Catholick Majeſty,* Philip II. *and with the Advice and Aſſiſtance of the Duke of* Alva, An. 1571. "This Book was printed by *Plantin*, the King's Printer, and at his Majeſty's

" own Charge, not with a Deſign to be publiſhed and diſperſed, but to be " given only to them, who were appointed to preſide over what they call the " Expurgation of ſuſpected Books. There was added a moſt ſevere Com- " mand of the King; That theſe Cenſors ſhould keep this Index very pri- " vately, and let no others know of it, nor communicate it to any one what- " ſoever, nor give any Copy of it; but that they ſhould moſt carefully re- " gard this only, to ſearch out, expunge and reſtore ſuch ſuſpected Places of " Books, as they ſhould think proper to expunge. By this Means this " Book lay concealed for fifteen Years, like certain Myſteries, in the Li- " braries of theſe Cenſors. But by the ſingular Direction of Divine Provi- " dence, it happened, that about the Year 1586. this Index fell into the " Hands of *Francis Junius*, who made it publick." *John Pappus* gives an Account of this whole Affair, in his Preface to the new Edition of this In- dex, which he publiſhed at *Strasburg*, *An.* 1599.

Beſides this, another *Expurgatory Index was publiſhed in* Spain, *at the Com- mand of* Gaſpar Quiroga, *Cardinal and Archbiſhop of* Toledo, *Inquiſitor Gene- ral of* Spain, *and with the Advice of the ſupreme Senate of the holy general In- quiſition*, and printed at *Madrid*, by *Alphonſus Gomez*, the King's Printer, *An.* 1584. A Copy of this was, as it were, ſnatched out of the Fire by the *Engliſh*, when they plundered *Cadiz*, and deſtroy'd every Thing elſe with Flames, and ſent by King *James*, to the moſt noble Lord *Mornæus Du Pleſſis*, who cauſed it to be printed a little after at *Saumur*, keeping the Original himſelf, to prove the Edition authentick. After this, many other Expurgatory Indexes of Books of all Sorts came out at *Rome* and *Naples*. There was a much larger one, particularly printed in *Spain*, by Order of *Bernard de Sandoval*, Archbiſhop of *Toledo*, and Inquiſitor General, and finally the compleateſt of all, by Command of *Anthony a Sotomayor*, ſupreme Preſi- dent and Inquiſitor General in the Kingdom of *Spain*, &c. and publiſhed with the Advice of the ſupreme Senate of the General Inquiſition, *An.* 1640. which was reprinted at *Geneva*, *An.* 1667. according to the Copy printed at *Madrid*, in the Printing-houſe of *Didacus Diaz*. To this there were many Rules prefixed; and to the *Geneva* Edition was added the Index of the De- crees, which were made by the Maſter of the holy Palace, by Virtue of his Office, or by the Command of the holy Congregation, or by the holy Congre- gations for the Indexes and holy Office, after the before-mentioned Index of the Council of *Trent*.

As to what concerns the Rules prefixed to this Index, I ſhall not give any Summary of them, becauſe the Book it ſelf may be eaſily had in the Shops. The Rules of the former Indexes are explained and confirmed by theſe. I ſhall only tranſcribe out of the fifth Rule, ſuch Things as are added to explain more clearly the fourth Rule of the Index of *Trent*, in which the pro- miſcuous Reading of Books is prohibited.

*All Bibles extant in the vulgar Tongue are prohibited, with all Parts of them, ei- ther printed or Manuſcript, with all Summaries and Abridgments, although hiſtorical, of the ſaid Bible, or Books of the holy Scripture, in the vulgar Language or Tongue;*

*not*

*not including the little Clauſes, Sentences, and Heads which are inſerted in the Books of Catholick Writers, who cite and explain them. This Caution is alſo to be obſerved, that the Book of the Epiſtles and Goſpels, as 'tis called, written in the vulgar Tongue, is comprehended in this Prohibition, although there be ſometimes added ſhort Expoſitions in certain Parts and Goſpels; for it is almoſt all written out of the ſacred Text, and therefore prohibited upon account of the Danger of Error, to which the ignorant common People are ſubject, through a corrupted Underſtanding, and other Inconveniences that have been found to ariſe by Experience. And that all Scruples may be avoided, the Reader is to underſtand which is the vulgar Tongue, and which not. The* Hebrew, Greek, Latin, Caldee, Syriack, Ethiopick, Perſick *and* Arabick *are not, being thoſe original Languages, which are not now uſed in common Converſation. All other Languages whatſoever are to be underſtood to be vulgar.* I have thought proper to add this Rule, Word for Word, that the Tyranny of the Papiſts, in prohibiting the reading of the holy Scripture, which they endeavour to diſſemble, conceal, and by various Pretexts to diſguiſe, may clearly and evidently appear.

From theſe Things 'tis plain, that the Inquiſitors, eſpecially in *Spain*, have a very great Power in the Prohibition of Books; becauſe theſe expurgatory Indexes are made and publiſhed by the Command of the Inquiſition in the Kingdom of *Spain*. How large this Power is, *Pegna* gives us a full Account. *Direct. Inq. Eymer. Com. 22. par. 2.*

" The Biſhops and Inquiſitors may condemn and prohibit in their Dioceſes all " Books which contain Opinions, expreſsly condemned by the Church, al- " though written by Authors not condemned by Name, becauſe Things " once condemned may be forbidden with any new Condemnation. Alſo all " Books ſuſpected of Hereſy, whatſoever be the Hereſy they are ſuſpected of, " though publiſhed by Catholick Authors. For ſince they may proceed a- " gainſt all Perſons whatſoever, at leaſt ſo far as to make Inquiſition even for " ſmall, tho' probable, Suſpicions of Hereſy, he infers from hence, that they " may much more proceed againſt ſuſpected Books, and prohibit ſuch as contain " ſuſpected Propoſitions. For, ſays he, Books are much more likely to do " harm than Men, becauſe thoſe who read them more firmly inſiſt on the " Things contained in them, than thoſe who only hear the Converſations " of others; and farther becauſe Hereticks by teaching can ſcarce " ſpread their Doctrine over a ſingle City, whereas Books may be carried " from Place to Place, and infect not only a City, but Kingdoms and Pro- " vinces. Alſo all Books containing Propoſitions ſcandalous, dangerous, er- " roneous, ſavouring of Hereſy, and any ways differing from the Catholick " Faith, and not agreeable to Chriſtian Piety and good Manners. This was " provided for by *Paul* III. in a certain Reſcript, beginning, *In Apoſtolici* " *culminis*. The ſame is to be ſaid of ſuch Books as contain double, doubtful " or dubious Propoſitions, which contain a double Senſe, one heretical, " the other Catholick. Theſe may be prohibited by the Inquiſitors, till ſuch " Propoſitions are declared in a Catholick Senſe. In the Index alſo of prohi- " bited Books, at the End of the tenth Rule, Power is granted to the Biſhops " and Inquiſitors General, of prohibiting ſuch Books as may be permitted

" in

" in theſe Rules, if they ſhall think proper to do it in their Kingdoms, Pro-
" vinces or Dioceſes."

*Inquiſ. Venet. cap. 29.* The *Venetian* Senate, as they defend their own Authority againſt the Inquiſition in other Caſes, ſo they would never allow this important Affair to the Power of the Inquiſitors. For as Father *Paul* juſtly obſerves, they conſider, that the main Deſign of the Eccleſiaſticks, is to aſſume to themſelves a Power to prohibit not only Books of Religion, but ſuch as treat of any other Matters whatſoever; and to deprive Princes of the Power of prohibiting in their own Territories any Book, if they have approved it, whatever be the Subject it treats of. The Conſequence of which they ſee would be this, that they cannot prohibit any Book from being brought into their Dominions, and publickly ſold, if the Eccleſiaſticks approve of it, though it be in it ſelf dangerous to the Commonwealth. For theſe Reaſons they have vigorouſly endeavoured to reſerve this Power to themſelves, and not to ſuffer it to be transferred to the Inquiſitors. On this account great Differences aroſe between the Pope and the Senate, and in the Year 1595. there met the Cardinal Nuncio and the Inquiſition on the Pope's Part, and the principal Senators on the Senate's Part, who, after long and continued debating the Affair for four whole Months, at length agreed, that the Power of prohibiting Books in the *Venetian* Territories, ſhould belong to the Senate, and not to the Inquiſitors. Of this Agreement only ſixty Copies were printed at the earneſt Requeſt of the *Romans*, for this Reaſon, that it ſhould become known but to a few. Whereas on the other hand, innumerable Indexes of prohibited Books, in which the Power of prohibiting them is aſcribed only to the Eccleſiaſticks, are every where to be found; by which Artifice they deſign, that this Agreement ſhall be known only to a few, and may be gradually wholly loſt. For which Reaſon Father *Paul* thinks, that the Senate ought particularly to guard againſt theſe Arts.

And indeed the *Romaniſts* have given Proofs enough, that they claim to themſelves only the Prohibition and Approbation of Books, and would entirely deprive the Secular Powers of it, that they may not have the Power of prohibiting Books, which they ſee dangerous to their Government, and deſigned to excite Sedition and Rebellion. We have a famous Inſtance of this in Cardinal *Baronius*, and on the other hand, we have as noble an Inſtance of the juſt Vindication of the regal Majeſty in the King of *Spain*, though himſelf ſubject to the Yoak and Bondage of the Inquiſition. *Baronius*, in the Beginning of the Year 1605. publiſhed his Eleventh Volume of Eccleſiaſtical Annals, in which he inſerted a long Diſcourſe of the Monarchy of *Sicily*, in which were many Things contrary to the Honour of many of the Kings of *Aragon*, and particularly againſt King *Ferdinand*, and the other Anceſtors of the King of *Sicily*, who then reigned, who alſo was King of *Spain*. This Book, as ſoon as it was brought to *Naples* and *Milan*, was prohibited by the King's Miniſters, as manifeſtly injurious to their Sovereign. As ſoon as the Report of this Prohibition came to *Rome*, *Baronius* called together a Counſel of Cardinals, upon the Vacancy of the See by the Death of *Clement* VIII. and bitterly inveighed againſt

*A.* 1097. §. 19, &c.

the

the King's Miniſters, who, by prohibiting his Book, had preſumed to lay hold of the Eccleſiaſtical Authority. After this, *Paul* V. being created Pope, *June* 13th of the ſame Year, the Cardinal wrote a long Letter to the King of *Spain*, in which, amongſt other Things, he aſſerts, that it belonged only to the Pope, to approve or diſapprove all manner of Books, and eſpecially Eccleſiaſtical ones; and grievouſly complains that his Majeſty's Miniſters had prohibited his Book in *Italy*, to the great Reproach and Contempt of the Eccleſiaſtical Authority. The King ſent the Cardinal no Anſwer, but privately approved the Edict of his Miniſters. In the Year 1607. the Cardinal publiſhed his Twelfth Volume of Annals, and could not contain himſelf, but in an entire Digreſſion reproached, and ſeverely inveighed againſt this Action of the King's Miniſters. *We therefore more ſtrongly inculcate theſe Things, approved of by the antient Cuſtom of the Church, and Authority of the Catholick Faith, becauſe in theſe moſt unhappy Times the King's Miniſters have dared to do, what is dreadful to relate, and horrible to act*, viz. *to cenſure Writings that have been approved by the Pope, ſo that the Bookſellers are not ſuffered to ſell them, without Leave firſt obtained from them, which ſometimes they deny at Pleaſure, prohibiting the Sale of them, and thereby manifeſt to the World that they act contrary to Right and Juſtice. What elſe is this, but what 'tis Impiety to ſay, to wreſt one of the Keys given by Chriſt to* Peter, viz. *the Key of Knowledge, out of the Hands of his Succeſſors, and to ſuffer it to be uſurped by a Lay Hand, and Lay Princes.* The *Spaniſh* Senate, according to Cuſtom, proceeded ſlowly, and with mature Advice, and waited three whole Years. But in the Year 1610. the King publiſhed an Edict, by which he condemned and prohibited the ſaid Book, and treated the Cardinal in the ſame manner as he had done him and his Predeceſſors. And to give that Decree the greater Authority, he commanded it to be publiſhed in *Sicily*, by Order of Cardinal *Doria*, who confirmed it by ſubſcribing it with his own Hand; and which was printed, and every where diſperſed about and ſold. The Court of *Rome* was greatly diſturbed at it, and eſpecially becauſe 'twas put in Execution by the Cardinal's Command. However the *Spaniards* would never revoke the Decree.

*An.* 1186. §. 29. §. 84.

Thus we ſee that the King of *Spain* vindicated his Authority, and the Honour of his Anceſtors, becauſe the Controverſy was about the Right of Empire. But this is the only Inſtance of this Nature, and which the King could not paſs over without injuring his own Majeſty. In all other Caſes the Power of prohibiting Books is left wholly to the Inquiſitors, which, as we have ſeen, is very large in the Kingdom of *Spain*.

CHAP.

## CHAP. XVII.

### *What the* INQUISITORS *can do themſelves, and what in Conjunction with the* ORDINARIES.

BEcauſe the Judgment of Hereſy is, as we have ſeen, committed to the Ordinaries or Biſhops, and to the Delegates or Inquiſitors, 'tis proper to conſider what each can ſeparately do, and what are thoſe Acts in which both muſt neceſſarily concur, in order to their being effectual and valid.

Eymer. *p.* 3. *q.* 47. The Inquiſitor without the Biſhop, and the Biſhop without the Inquiſitor, may cite and arreſt, or apprehend and deliver any one to ſafe Cuſtody, and put them in Irons, if they think proper, and make Inquiſition againſt ſuch as are accuſed. But neither without the other can deliver any Perſons to hard or cloſe Impriſonment, which hath more of the Nature of Puniſhment than of Cuſtody, or put them to the Torture, or force them in Irons by Hunger to diſcover the Truth, which is one ſort of very grievous Torment, or proceed to Sentence againſt them. This appears from the *Clementines*. *Therefore to promote the Glory of God, and for the Encreaſe of the ſame Faith, and that the Affair of the Inquiſition may go on more proſperouſly, and that the ſearching out of heretical Pravity may proceed more ſolemnly, diligently, and cautiouſly, we decree that it ſhall be carried on as well by the Dioceſan Biſhops, as by the Inquiſitors deputed by the Apoſtolick See, laying aſide all carnal Love, Hatred and Fear, and every Regard to temporal Intereſt. So that every one of the aforenamed may without the other cite, arreſt or take up, or commit to ſafe Cuſtody, and alſo put Criminals into Irons, if they ſhall think proper. And this we lay upon their Conſciences. They may alſo make Inquiſition againſt them, as they ſhall think it in this Caſe moſt agreeable to God and Juſtice. But neither the Biſhop without the Inquiſitor, nor the Inquiſitor without the Dioceſan Biſhop, or his Official, or during the Vacancy of the Epiſcopal See, ſuch Perſon as ſhall be deputed by the Chapter, if they can each of them reſpectively obtain a Copy, within eight Days after they have given Notice to each other, ſhall be able to commit any one to hard and cloſe Impriſonment, which looks more like Puniſhment than Cuſtody, or put them to the Torture, or proceed to Sentence againſt them. And if any one ſhall preſume to do otherwiſe, it ſhall be* ipſo jure, *null and void.* In like manner the Inquiſitor without the Biſhop cannot deprive, nor declare to be deprived of their Benefices and Eccleſiaſtical Dignities heretical Clergymen, unleſs it ſhall legally appear that the Dioceſans have conferred ſuch Benefices knowingly upon ſuch Perſons; *for we declare that their Conſent in ſuch Caſes ſhall not be required, but rather that they ſhould be puniſhed by their Judge.* Decret. 6. de hæret. cap. *Ut commiſſi.* §. ult. But whatſoever was the antient Law, 'tis now a very plain and clear Caſe, by the Reſcript of *Pius* V. beginning, *Cum ex Apoſtolatus*, that the Benefices of the heretical Clergy, are vacant from the Day of their committing their Crime, and reſerved to the Diſpoſal of the Apoſtolick See. From whence it appears that the Inquiſitor may declare them deprived of them.

Cap. *Multorum.* de hæret.

Pegnæ *Lucern. Inq. in voce Inquiſitor.*

'Tis

'Tis controverted amongſt the Doctors, whether the Biſhop without the Inquiſitor, or the Inquiſitor without the Biſhop, can pronounce the Sentence of Abſolution. 'Tis the Cuſtom in *Spain*, for the Inquiſitors to abſolve without the Biſhops. But if there is an Abjuration to be made, the Conſent of both is neceſſary, according to the Reſcript of *Innocent* IV. beginning, *Tunc potiſſime.* *But if any ſhall wholly abjure heretical Pravity, and will return to the Eccleſiaſtical Unity, let the Dioceſan be conſulted, and grant them the Benefit of Abſolution, according to the Form of the Church, and enjoin them the uſual Penance.* But if ſuch Abjuration or Purgation be made before one of them only, it is to be accounted valid. From hence they draw this Inference; That if any one ſhall have abjured, as an Heretick, or vehemently ſuſpected, before either one of the aforeſaid, and ſhall afterward be found to have fallen into Hereſy, he may be delivered over to the ſecular Court as a Relapſe; and that he cannot defend himſelf by urging the Nullity or Invalidity of the Abjuration, as having been made only before one of them.

*Direct. p. 3. q. 48. Com. 97. Caren. p. 1. tit. 4. §. 11.*

The Biſhop and Inquiſitor may conſtitute each other their Vicegerents, in thoſe Caſes in which neither can act ſeparately. *But if the Biſhop, or the Perſon delegated by the Chapter during the Vacancy of the See, cannot for the aforeſaid Reaſons, or will not perſonally meet with the Inquiſitor, or the Inquiſitor with either of them; the Biſhop, or his Delegate, or the Delegate of the Chapter, during the Vacancy of the See, may appoint the Inquiſitor in his Room, and the Inquiſitor or his Delegate may thus appoint the Biſhop, or ſignify their Advice and Conſent by Letters.* If they will not meet together, the one muſt require the other; nor can either of them proceed till eight Days after they have thus mutually demanded each others Attendance.

*Qu. 49. com. 92. Cap. Multorum.*

The Biſhop and the Inquiſitor may proceed by a delegated Authority, and then they are equal. When the Biſhop proceeds by his ordinary Authority, and the Inquiſitor by a delegated one, the Inquiſitor is the greater. If the Biſhop and Inquiſitor cite the ſame Perſon before them, to anſwer concerning the Faith, he muſt, when cited, appear before both, if the Times of the Citation are different: if they are the ſame, he muſt appear before the Inquiſitor. For the Inquiſitors are ſpecially delegated for the Affairs of the Faith. But in this Caſe they may oblige each other. But in *Spain* the Inquiſitors are always preferred in theſe Cauſes, and the Biſhop cannot hinder the Proceſs of the Inquiſitor.

*Qu. 5. Simanc. tit. 44. §. 13. Direct. p. 3. qu. 50.*

When the Biſhop and Inquiſitor differ, they can't proceed to a definitive Sentence, but muſt refer the whole Cauſe drawn up to the Pope, or to the ſupream Tribunal of the Inquiſition. In *Spain* this muſt be done even when they differ in Caſes of no great Importance. This is preſcribed by the *Madrid* Inſtruction, An. 1561. cap. 66. *In all Caſes where there ſhall happen a Difference of Opinion between the Inquiſitors or Ordinary, or any one of them, in determining a Cauſe, or in any other Act, or in an interlocutory Sentence, the Cauſe muſt be referred to the ſupream Senate of the Inquiſition. But if the Biſhop and Inquiſitors agree, although the Learned in the Law and the Counſellors differ, even though they may be more in Number, the Sentence of the Biſhop and Inquiſitors muſt be executed.*

*Com. 99.*

*However, in very important Cases, the Sentence of the Inquisitors, Ordinary and Counsellors, though they all agree, shall not be put in Execution, without consulting the Senate, according to Custom and Order.*

Qu. 51. When the Bishop and Inquisitor proceed separately, so that there are two Processes carried on for the same Fact, one by the Bishop, and the other by the Inquisitor, they ought to communicate their Processes to one another.

Cap. *per hoc.* §. *Verum.* de hæret. l. 6. *But that the said Affair of the Inquisition may proceed better, more effectually and profitably, we grant, that the Bishops and Inquisitors may make Inquisition concerning the same Fact, either together or apart. If they proceed separately, they shall be obliged mutually to communicate the Processes, that hereby the Truth may be the better found out. And unless in this Case the Inquisitors shall think fit to refer the pronouncing Sentence to the Diocesans, or the Diocesans to the Inquisitors, let them both join in passing it. If they cannot agree in pronouncing it, let them draw up a full Account of the Case, and refer it to the Apostolick See.*

Qu. 53. *Ex. eo.* This Communication of the Processes is to be made only once, and that when the Process is finished. By an Extravagant of *Benedict.* XI. which says: *When they both proceed separately, they must at the End of the Process, when nothing remains but only to pronounce Sentence, communicate it to each other. One Case however we except,* viz. *if either of them cannot conveniently proceed, without seeing what the other hath done. In this Case let a Copy of the whole Proceedure be granted, though but one, to prevent any Fraud.*

Caren. *p.* 1. *tit.* 4. §. 21. But in *Spain* and *Portugal* the Inquisitors only form the Processes, and apprehend Criminals in Causes of the Faith, and if the Bishops have any Informations against such Criminals, they must transmit them to the Inquisitors. But it is uncertain whether these *Spanish* Inquisitors claim this by any legal Custom and Prescription, or by the Pope's Privilege.

These are the Things to be observed, when the Ordinary and Inquisitor concur in the Judgment of the Faith. But because oftentimes in *Spain* several Inquisitors are deputed together, it will be proper to consider how far each of them may separately proceed.

Qu. 46. *Com.* 95. As often therefore as it happens that two Inquisitors are constituted in the same Province, they may both together, or each of them separately, proceed against Hereticks throughout the whole Province committed to them, sit in Judgment in any Part of it, and when the Executor is absent create another, because they have entire Jurisdiction. However, a Criminal can be punished only by one of them. But if there be any special Inquisitor deputed against any Person by the Pope, the Inquisitors of Provinces and Dioceses, who, as general Judges, seem to have universal Jurisdiction, at least with respect to Persons, cannot proceed against him, though they have actually began the Process; because their Jurisdiction is suspended by a special Commission granted by the Pope. He who is thus constituted special Inquisitor, may make use of every Thing that hath been done and discovered by the other Inquisitors, whom if it be necessary he may compel to deliver to him all the Processes, Writings, Inquisitions, Depositions of Witnesses, and all other Things they have discovered against any Criminal. Although 'tis reckoned more hand-

handſome to do this by the Authority of their Superior, when this Power is not ſpecially given him in the Letters of his Commiſſion.

But although each of the Inquiſitors hath entire Juriſdiction, yet neither of them can proceed without the other to the Publication of Teſtimonies, nor to grant a Copy of the Proceſs to the Criminal. This Rule holds only when both the Inquiſitors are preſent. For when either of them is abſent, the other can do every Thing that is needful, calling in the Aſſiſtance of skilful Perſons. 4 *Inſtruct. Tolet.* c. 1. Simanc. *tit.* 34. §. 37.

When the ſame Hereticks may be proceeded againſt by different Judges, that Inquiſitor who firſt began the Proceſs, is to be preferred to the other in the ſame Cauſe. For which Reaſon the Inquiſitors of other Provinces muſt ſend their Teſtimonies, and all Things they have diſcovered againſt the Criminals, to that Inquiſitor who firſt began the Proceſs. *tit.* 44. §. 79.

The elder Inquiſitor is to be preferred, although tranſlated from one Province to another, unleſs he may have been deprived of his Office, and afterwards reſtored, or laid down the Office of his own Accord for any certain Time. This is fully contained in one of the Letters of the Inquiſitor General. *tit.* 34. §. 20.

*J. Royas* hath fully explained this Matter, *viz.* how ſeveral Inquiſitors in one Province, and how the Inquiſitors and Ordinary muſt act, and given in the Reaſons why. *Part* 1. §. 439.

" The Juriſdiction of the Inquiſitors is mutual and entire, " where one of them only preſides over the Juriſdiction for determining the " Cauſes of the Faith; for a Colleague in any City or Territory hath no " Power in Cauſes already decided. 4 *Inſtruct. Tolet.* c. 1. But if they are all " preſent, neither of them without the other can proceed to apprehend Cri- " minals, to the Publication of Witneſſes, to the Torture, to enjoin canoni- " cal Purgation, or to pronounce any definitive Sentence. And as to the Or- " dinaries, ſuch of them as are Inquiſitors have a cumulative Juriſdiction, and " not a privative one, in theſe Articles only; *viz.* in pronouncing Sentences " of Torture, and in other definitive Sentences, as well as in thoſe which ariſe " from the Judgment it ſelf. But in all other Articles the Inquiſitors have priva- " tive and not cumulative Juriſdiction. For as to other civil and criminal Cauſes " not touching the Faith, the Inquiſitors may proceed without the Biſhop, be- " cauſe the Cogniſance of them belongs to them rather by the Royal than the " Apoſtolick Authority; or elſe by daily Cuſtom, as particularly in the King- " doms of *Valencia*, *Aragon*, and Principality of *Catalonia*, which Cuſtom gives " them their Juriſdiction." *Royas* adds, " I am grieved and aſhamed to tell " how in our Times this Juriſdiction is almoſt deſtroyed, and rendred weak and " infirm by the Negligence of ſome, to the great Detriment of the Affairs " of the Faith." 444.

Finally, they obſerve, that 'tis much ſafer for the Biſhops to ſend to the Inquiſitors the Cauſes of Hereſy, and Suſpicions of Hereſy, becauſe Secrecy is the Strength of all the Cauſes of the Holy Office. This is inviolably obſerved before the Inquiſitors, but cannot be ſo well kept before the Biſhops. This the Inquiſitor *Cantera* atteſts, whilſt he was Vicar General of *Pampilona*; Carena, *p.* 1. *t.* 4. *n.* 23, &c.

*viz.* that he could never procure Secrecy to be kept in that Eccleſiaſtical Court; and though he oftentimes puniſhed the Notaries, it ſignified nothing at all. *Carena* alſo relates, that Cardinal *Camporeus*, Biſhop of *Cremona*, and one of the ſupream Inquiſitors, in all Cauſes in which Lay Perſons had a Right to decide and give Judgment, did for fourteen Years always remit all Cauſes of Hereſy, and Suſpicion of Hereſy, immediately to the Inquiſitors; becauſe he well knew, how great Inconveniences would ariſe, if the Ordinaries, who have neither ſecret nor ſafe Jayl and Miniſters, ſhould intereſt themſelves in forming Proceſſes.

## CHAP. XVIII.

### *Of the* JAYL *of the* INQUISITORS, *and* KEEPERS *of the* JAYL.

*Direct. p. 3. Qu. 58. com. 107.*

JAYLS were formerly appointed to keep Men in Cuſtody, and not to puniſh them. But by the Canon Law they may be uſed for Puniſhment. Cap. *Quamvis.* de pœnis. lib. 6. *Although it be well known that the Jayl is particularly deſigned to keep Criminals in Cuſtody, and not to puniſh them, yet we do not diſapprove that convict Perſons ſhould be delivered over to Priſon to do Penance either for ever, or for a Time, as you ſhall judge moſt convenient, their Crimes, Perſons, and other Circumſtances, being carefully conſidered.* *Simancas* gives this Reaſon for it: *For ſince the ſacred Canons, through the Eccleſiaſtical Lenity, cannot inflict the Puniſhment of Death, the Conſequence is, that leſt Crimes ſhould go unpuniſhed, they may inflict the Penalty of Perpetual Impriſonment for more grievous Offences, which is indeed very grievous, and equal to Death.* Heretofore the Biſhop and Inquiſitor might have their ſeparate Jayls, to hold Perſons in Cuſtody, but not to puniſh them; for as they cannot condemn any one to Impriſonment without the Conſent of both, 'tis therefore required that the Jayl for Puniſhment ſhall be common to both. But now they have not uſually ſeparate Priſons; the ſame that belongs to the Inquiſitor, in which Criminals are kept in Cuſtody, being common to the Biſhop.

*Catbol. Inſtit. tit. 16. §. 15.*

Here are two Things to be explained. Firſt, what muſt be done before any Perſon can be thrown into Jayl. Secondly, what Method muſt be obſerved in keeping and placing the Priſoners.

*Part 2. Aſſert. 1.*

As to the firſt, *Royas* gives this large Account of it. In all Cauſes, as well civil as criminal, Criminals muſt not be apprehended, without a ſummary Inquiſition againſt them concerning their Crime firſt had. This is particularly to be obſerved in the Crime of Hereſy. For though in other Crimes no one ſuffers much in his Reputation merely for his being thrown into Priſon, yet to be taken up for the Crime of Hereſy is greatly infamous, which muſt therefore be proceeded in with great Caution. For ſince the Reaſon of proceeding in the Crime of Hereſy is much more important than in other Offences, there

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is Need of a greater Inquiſition, and of a ſummary Cogniſance, before Criminals are apprehended. So that no one is lightly to be ſhut up in cloſe Priſon for ſmall Offences, for Propoſitions that ſound ill, or that are ſcandalous, or blaſphemous, or others which do not contain real Hereſy; but is to be confined either in ſome Monaſtery, or in his own Houſe or City.

The Inquiſitors may indeed proceed in the Crime of Hereſy againſt any Perſon, eſpecially if he be otherwiſe vile, upon a light and moderate Suſpicion, ſo far as to aſk ſuch ſuſpected Perſon, what he thinks of the Faith. But in order to apprehend any one for Hereſy, two credible Witneſſes are required, although they ſay that the Teſtimony of a ſingle one, if beyond all Exception, is ſufficient, who depoſes what he ſaw or heard; yea, if he be not beyond all Exception, yet is otherwiſe fit, provided he agrees with the Informer; for in this Caſe they ſay there are two Witneſſes, and conſequently more than half Proof, which is ſufficient for any ones being apprehended. But that one Witneſs above all Exception, is enough in this Caſe, they prove from the *Madrid* Inſtruction, *An.* 1561. *Cap.* 4. which ſays, *If the Teſtimony be not ſufficient for the apprehending.* This Inſtruction is in the ſingular Number, and therefore intimates, that one lawful Witneſs againſt any one is ſufficient for his being taken up; eſpecially if the Perſon be ſcandalous, and vile, and ſuſpected; as are all the new Converts of the Mahometan Sect in the Kingdom of *Valencia*; and as *Royas* ſays, the *French* and *Germans* of the *Lutheran.* But if the Perſon accuſed be noble, and of good Reputation and Fame, he is not to be apprehended upon a ſingle Teſtimony. However, this is left to the Pleaſure of the Judge, after having conſidered the Quality of the Perſon and his Offence; not that the Inquiſitors of the Faith ſhould appear eager to take up Criminals; for they are always to uſe great Circumſpection. This is eſpecially neceſſary in the receiving and examining Witneſſes. They muſt in the firſt Place admoniſh them, how horrible and dreadful a Wickedneſs it is to give falſe Witneſs in any Cauſes, and eſpecially in the holy Office of the Inquiſition, and that they ſhould have God and his awful and tremendous Judgment before their Eyes, that they may not, for Prayer, or Price, or Entreaty, or any other wicked Affection, defame an innocent Perſon with ſo great a Crime. Then the Witneſſes are to be interrogated concerning the Place, and Time, what they ſaw or heard; whether the Perſon acted, or pronounced heretical Words, once or oftner; with what Obſtinacy or Eagerneſs he affirmed them; and what other Perſons were preſent; and for what Cauſes, Reaſons, and Occaſions they were preſent; and concerning all other Circumſtances neceſſary to diſcover the Truth or Falſehood.

Theſe Things premiſed, the Witneſſes received, and the Propoſitions qualified, the Promotor Fiſcal demands before the Inquiſitors, that the Criminals be apprehended and impriſoned, that they may ſuffer the deſerved Puniſhment.

When the Offence thus appears, and 'tis proper to apprehend the Criminal, the Inquiſitor may then order him to be taken up. When they have determined. Pegna, *Com.* 107.

mined upon his being apprehended, they give out the Order to that Officer, who, according to the Cuſtom of the holy Office, is to take up Criminals; and his Order is ſubſcribed by the Inquiſitors. If ſeveral Perſons are to be taken up the ſame Day and Time, they give an Order for each Perſon, which is inſerted in their reſpective Proceſſes, that ſuch Acts, which are of great Weight, may appear openly.

As to the ſecond. All Criminals have not alike Places of Impriſonment, their Cells being either more terrible and dark, or more eaſy and chearful, according to the Quality of the Perſons and their Offences. In Reality there is no Place in the Priſon of the Inquiſition, that can be called pleaſant or chearful, the whole Jayl is ſo horrible and naſty.

Theſe Jayls are called in *Spain* and *Portugal*, *Santa Caſa*, *i. e.* the holy Houſe. Every Thing it ſeems in this Office muſt be holy. The Priſons are ſo built, as the Author of the Hiſtory of the Inquiſition at *Goa* deſcribes them, that they will hold a great Number of Perſons. They conſiſt of ſeveral Porticoes, every one of which is divided into ſeveral ſmall Cells of a ſquare Form, each Side being about ten Foot. There are two Rows of them, one being built over the other, and all of them vaulted. The upper ones are enlightned by Iron Grates, placed above the Height of a tall Man. The lower ones are under Ground, dark, without any Window, and narrower than the upper ones. The Walls are five Foot thick. Each Cell is faſtned with two Doors, the inner one thick, and covered over with Iron, and in the lower Part of it there is an Iron Grate. In the upper Part of it is a little ſmall Window, through which they reach to the Priſoner his Meat, Linnen, and other Neceſſaries, which is ſhut with two Iron Bolts. The outer Door is entire without any opening at all. They generally open it in the Morning, from ſix a Clock till eleven, in order to refreſh the Air of the Priſon.

In *Portugal* all the Priſoners, Men and Women, without any Regard to Birth or Dignity, are ſhaved the firſt or ſecond Day of their Impriſonment. Every Priſoner hath two Pots of Water every Day, one to waſh, and the other to drink, and a Beſom to cleanſe his Cell, and a Mat made of Ruſhes to lie upon, and a larger Veſſel to eaſe Nature, with a Cover to put over it, which is changed once every four Days. The Proviſions which are given to the Priſoners, are rated according to the Seaſon, and the Dearneſs or Plenty of Eatables. But if any rich Perſon is impriſoned, and will live and eat beyond the ordinary Rate of Proviſions, and according to his own Manner, he may be indulged, and have what is decent, and fit for him, his Servant, or Servants, if he hath any, with him in the Jayl. If there are any Proviſions left, the Jayl-Keeper, and no other, muſt take them, and give them to the Poor. But *Reginald Conſalvius* obſerves, *p.* 106. that this Indulgence is not allowed to Priſoners of all ſorts, but to ſuch only as are taken up for ſmall Offences, who are to be condemned to a Fine. But if they find by the very Accuſation that any Perſons are to be puniſhed with Forfeiture of all their Effects, they do not ſuffer them to live ſo plentifully, but order them a ſmall Penſion for their Subſiſtence, *viz.* about thirty Maravedis, of the Value of ten *Dutch* Stivers.

Stivers. This agrees with the Account of *Iſaack Orobio*, who had a plentiful Fortune at *Seville*, and was nevertheleſs uſed very hardly in the Priſon of the Inquiſition there. Although his Eſtate was very large, yet he was allowed a very ſmall Penſion to provide himſelf Proviſion. This was Fleſh, which they made him ſometimes dreſs and prepare for himſelf, without allowing him the Help of any Servant. In this Manner are the richer Priſoners treated. As to the poorer, and ſuch who have not enough to ſupply themſelves in Jayl, their Allowance is fixed by the King, *viz.* the Half of a ſilver Piece of Money, called a Real *, every Day; and out of this ſmall Sum, the Buyer of their Proviſion, whom they call the Diſpenſer, and their Waſher muſt be paid, and all other Expences that are neceſſary for the common Supports of Life. Beſides, this very royal Allowance for the Priſoners doth not come to them but through the Hands of ſeveral Perſons, and thoſe none of the moſt honeſt; firſt by the Receiver, then the Diſpenſer, then the Cook, then the Jayl-Keeper, who, according to his Office, diſtributes the Proviſion amongſt the Priſoners. *Gonſalvius* adds, that he gave this particular Account of this Matter, becauſe all theſe Perſons live, and have their certain Profits out of this ſmall Allowance of the King to the Priſoners, which coming to them through the crooked Hands of theſe Harpies, they cannot receive it till every one of them hath taken out more than a tenth Part of it.

The Author of the Hiſtory of the Inquiſition at *Goa* tells us, this Order is obſerved in diſtributing the Proviſions. The Priſoners have Meat given them three times every Day; and even thoſe who have the Misfortune to be in this Caſe, and they have Money, are not treated much better than others, becauſe their Riches are employ'd to make Proviſion for the Poorer. I was informed by *Iſaack Orobio*, that in *Spain* they ſometimes give the Priſoners Coals, which they muſt light, and then dreſs their own Food. Sometimes they allow them a Candle. Thoſe who are confined in the lower Cells generally ſit in Darkneſs, and are ſometimes kept there for ſeveral Years, without any one's being ſuffered to go or ſpeak to them, except their Keepers, and they only at certain Hours, when they give them their Proviſion. They are not allowed any Books of Devotion, but are ſhut up in Darkneſs and Solitude, that they may be broke with the Horrors of ſo dreadful a Confinement, and by the Miſeries of it forced to confeſs Things which oftentimes they have never done.

And how dreadful the Miſeries of this Priſon are, we have a famous In- *p.* 119.
ſtance given us by *Reginald Gonſalvius Montanus*. In the Age before the laſt, a certain *Engliſh* Ship put in at the Port of *Cadiz*, which the Familiars of the Inquiſition, according to Cuſtom, ſearched upon the Account of Religion, before they ſuffered any Perſon to come a-ſhore. They ſeized on ſeveral

* Dr. *Geddes* tells us of one in the Inquiſition at *Lisbon*, who was allowed no more than three Vintems a Day; a Vintem is about an *Engliſh* Penny Farthing.

*Engliſh*

*Engliſh* Perſons who were on board, obſerving in them certain Marks of Evangelical Piety, and of their having received the beſt Inſtruction, and threw them into Jayl. In that Ship there was a Child, ten or twelve Years, at moſt, old, the Son of a very rich *Engliſh* Gentleman, to whom, as was reported, the Ship and principal Part of her Loading belonged. Amongſt others they took up alſo this Child. The Pretence was, that he had in his Hands the Pſalms of *David* in *Engliſh*. But as *Gonſalvius* tells us, thoſe who knew their Avarice and curſed Arts, may well believe, without doing any Injury to the Holy Inquiſition, that they had got the Scent of his Father's Wealth, and that this was the true Cauſe of the Child's Impriſonment, and of all that Calamity that followed after it. However, the Ship with all its Cargo was confiſcated, and the Child, with the other Priſoners, were carried to the Jayl of the Inquiſition at *Seville*, where he lay ſix or eight Months. Being kept in ſo ſtrait Confinement for ſo long a while, the Child, who had been brought up tenderly at home, fell into a very dangerous Illneſs, through the Dampneſs of the Priſon, and the Badneſs of his Diet. When the Lords Inquiſitors were informed of this, they ordered him to be taken out of the Jayl, and carried, for the Recovery of his Health, to the Hoſpital, which they call the *Cardinal*. Here they generally bring all who happen to fall ill in the Priſon of the Inquiſition, where, beſides the Medicines, of which, according to the pious Inſtitution of the Hoſpital, there is Plenty, and a little better Care, upon account of the Diſtemper, nothing is abated of the Severity of the former Jayl; no Perſon beſides the Phyſician, and the Servants of the Hoſpital, being allowed to viſit the ſick Perſon; and as ſoon as ever he begins to grow better, before he is fully recovered, he is put again into his former Jayl. The Child, who had contracted a very grievous Illneſs from that long and barbarous Confinement, was carried into the Hoſpital, where he loſt the Uſe of both his Legs; nor was it ever known what became of him afterwards. In the mean while 'twas wonderful, that the Child, in ſo tender an Age, gave noble Proofs how firmly the Doctrine of Piety was rooted in his Mind; oftentimes, but eſpecially Morning and Evening, lifting up his Eyes to Heaven, and praying to him, from whom he had been inſtructed by his Parents, to deſire and hope for certain Help; which the Jayl-Keeper having often obſerved, ſaid, He was already grown a great little Heretick.

*p.* 121. About the ſame Time a certain Perſon was taken up and thrown into the ſame Jayl, who had voluntarily abjured the *Mahometan* Impiety, and came but a little before from *Morocco*, a famous City of *Mauritania*, and Capital of the Kingdom, into that Part of *Spain* which lies directly over againſt it, with a Deſign to turn Chriſtian. When he had obſerved that the Chriſtians were more vicious and corrupt than the *Moors* he had left, he happened to ſay, that the *Mahometan* Law ſeem'd to him better than the Chriſtian. For this the good Fathers of the Faith laid hold of him, thruſt him into Jayl, and uſed him ſo cruelly, that he ſaid publickly even when

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in Confinement, that he never repented of his Chriſtianity from the Day he was baptized, till after his having been in the Inquiſition, where he was forced againſt his Will to behold all manner of Violences and Injuries whatſoever.

The Complaint of *Conſtantine*, the Preacher of *Seville*, was not leſs grievous concerning the Barbarities of this Priſon; who, although he had not as yet taſted of the Tortures, yet often bewailed his Miſery in this Jayl, and cried out: *O my God, were there no Scythians in the World, no Cannibals more fierce and cruel than Scythians, into whoſe Hands thou couldſt carry me, ſo that I might but eſcape the Paws of theſe Wretches.* *Olmedus* alſo, another Perſon famous for Piety and Learning, fell into the Inquiſitors Hands at *Seville*, and thro' the Inhumanity of his Treatment, which had alſo proved fatal to *Conſtantine*, contracted a grievous Illneſs, and at laſt died in the Midſt of the Naſtineſs and Stench. He was uſed to ſay, *Throw me any where, O my God, ſo that I may but eſcape the Hands of theſe Wretches.* p. 104.

The Author of the Hiſtory of *Goa* agrees in this Account, who frankly owns, that through the Cruelty and Length of his Impriſonment, he fell into Deſpair, and thereby often attempted to deſtroy himſelf; firſt by ſtarving himſelf, and becauſe that did not ſucceed, he feigned himſelf ſick; and when the Phyſician of the Inquiſition found his Pulſe unequal, and that he was fevouriſh, he ordered him to be let Blood, which was done again five Days after. When the Doctor was gone, he unbound his Arm every Day, that ſo by the large Effuſion of Blood, he might continually grow weaker and weaker. In the mean while he eat very little, that by Hunger and Loſs of Blood, he might put an End to his miſerable Life. Whilſt he was in this ſad Condition, he had ſent him a Confeſſor of the *Franciſcan* Order, who, by various Arguments of Comfort, endeavoured to recover him from his Deſpair. They alſo gave him a Companion in his Jayl, which was ſome Comfort to him in his Confinement. But growing well again after about five Months, they took his Companion from him. The Loneſomeneſs of his Jayl brought on again his Melancholy and Deſpair, which made him invent another Method to deſtroy himſelf. He had a Piece of Gold Money, which he had concealed in his Cloaths, which he broke into two Parts; and making it ſharp, he opened with it a Vein in each Arm, and loſt ſo much Blood, that he fell into a Swoon, the Blood running about the Jayl. But ſome of the Servants happening to come before the uſual Time to bring him ſomething, found him in this Condition. The Inquiſitor hereupon ordered him to be loaded with Irons upon his Arms and Hands, and ſtrictly watched. This Cruelty provoked him to that Degree, that he endeavoured to beat his Brains out againſt the Pavement and the Walls; and undoubtedly the Ligaments upon his Arms would have been torn off, had he continued any longer in that State. Upon this they took off his Chains, gave him good Words, encouraged him, and ſent him a Companion, by whoſe Converſation he was refreſhed, and bore his Miſery with a little more Eaſineſs of Mind. But after two Months they took him from him again, ſo that the Solitude of his Jayl was more diſtreſſing to him than before. *Cap.* 19, 20, 21.

*Inquiſ. Goan. cap.* 13. The Priſoners, as ſoon as ever they are thrown into Jayl, are commanded to give an Account of their Name and Buſineſs. Then they enquire after their Wealth, and to induce them to give in an exact Account, the Inquiſition promiſes them, that if they are innocent, all that they diſcover to them ſhall be faithfully kept for, and reſtored to them; but that if they conceal any Thing, it ſhall be confiſcated, though they ſhould be found not guilty. And as in *Spain* and *Portugal* moſt Perſons are fully perſuaded of the Sanctity and Sincerity of this Tribunal, they willingly diſcover all their Poſſeſſions, even the moſt concealed Things of their Houſes, being certainly perſuaded, that when their Innocence ſhall appear, they ſhall ſoon recover their Liberty and Effects together. But theſe miſerable Creatures are deceived; for he that once falls into the Hands of theſe Judges, is ſtripped at once of all he was poſſeſſed of. For if any one denies his Crime, and is convicted by a ſufficient Number of Witneſſes, he is condemned as a negative Convict, and all his Effects confiſcated. If to eſcape the Jayl, he confeſſes his Crime, he is guilty by his own Confeſſion, and in the Judgment of all juſtly ſtripped of his Effects. When he is diſmiſſed from Priſon as a Convert and Penitent, he dares not defend his Innocence, unleſs he deſires to be thrown again into Jayl, and condemned, and, as a feigned Penitent, to be delivered over to the ſecular Arm.

*2. Part. Aſſert.* 2. Of theſe Things *J. Royas* gives us an Account. "When any Criminal is "apprehended, and put into the Jayls of the Holy Office, his Effects muſt "be immediately ſequeſtred, that they may not be conveyed away, or con- "cealed, and put into the Hands of ſome proper Perſon before the Notary "and Executor, who is to have the Cuſtody and Care of them. Such Ef- "fects as cannot be kept, he who hath them in Cuſtody, muſt ſell by the "Inquiſitors Command. This Sequeſtration is made only for real and formed "Hereſy. From hence they infer, that this Sequeſtration or Deſcription of "Effects is not to be made, when the Inquiſitors proceed againſt Blaſphe- "mers, or Fortune-Tellers, or thoſe who marry again whilſt their former "Wives are living, or againſt Clergymen in Orders, or profeſſed Monks who "have contracted Matrimony, or againſt Perſons who ſpeak Propoſitions raſh, "ſcandalous, injurious, or that ſound ill; and in all other Cauſes, in which "there is not, *de jure*, any Confiſcation of Effects, that which preceeds it, "*viz.* the Sequeſtration of ſuch Effects, by Conſequence ceaſes."

*Inquiſ. Goan. cap.* 18. When the Priſoner is brought before his Judge, he appears with his Head and Arms, and Feet naked. In this Condition he is brought out of Jayl by the Warder. When he comes to the Room of Audience, the Warder goes a little forward, and makes a profound Reverence, then withdraws, and the Priſoner enters by himſelf. At the farther End of the Audience Room there is placed a Crucifix, that reaches almoſt to the Cieling. In the Middle of the Hall is a Table about five Foot long, and four broad, with Seats all placed round it. At one End of the Table, that which is next to the Crucifix, ſits the Notary of the Inquiſition, at the other End the Inquiſitor, and at his left Hand the Priſoner ſitting upon a Bench. Upon the Table is a Miſſale, upon which



*The table of the Inquisition.* p. 242

which the Priſoner is commanded to lay his Hand, and to ſwear that he will ſpeak the Truth, and keep every Thing ſecret. After they have ſufficiently interrogated him, the Inquiſitors ring a Bell for the Warder, who is commanded to carry back his Priſoner to Jayl.

No one in the Priſon muſt ſo much as mutter, or make any Noiſe, but muſt keep profound Silence. If any one bemoans himſelf, or bewails his Misfortune, or prays to God with an audible Voice, or ſings a Pſalm or ſacred Hymn, the Jayl-Keepers, who continually watch in the Porches, and can hear even the leaſt Sound, immediately come to him, and admoniſh him that Silence muſt be preſerved in this Houſe. If the Priſoner doth not obey, the Keepers admoniſh him again. If after this the Priſoner perſiſts, the Keeper opens the Door, and prevents his Noiſe, by ſeverely beating him with a Stick, not only to chaſtiſe him, but to deter others, who, becauſe the Cells are contiguous, and deep Silence is kept, can very eaſily hear the Outcries and Sound of the Blows. I will add here a ſhort Story that I had from ſeveral Perſons, which, if true, ſhews us with what Severity they keep this Silence. A Priſoner in the Inquiſition coughed. The Jaylors came to him, and admoniſhed him to forbear coughing, becauſe it was unlawful to make any Noiſe in that Houſe. He anſwered, 'twas not in his Power. However, they admoniſhed him a ſecond time to forbear it, and becauſe he did not, they ſtripped him naked, and cruelly beat him. This encreaſed his Cough, for which they beat him ſo often, that at laſt he died through the Pain and Anguiſh of the Stripes.

They inſiſt ſo ſeverely on keeping this Silence, that they may cut off every Degree of Comfort from the Afflicted, and eſpecially for this Reaſon, that the Priſoners may not know one another, either by ſinging, or any loud Voice. For it oftentimes happens, that after two or three Years Confinement in the Jayl of the Inquiſition, a Man doth not know that his Friend, nor a Father that his Children and Wife are in the ſame Priſon, till they all ſee each other in the Act of Faith. And finally, that the Priſoners in the ſeveral Cells may not talk with one another, which, if ever found out, their Cells are immediately changed. Gonſalv. p. 117.

If any one falls ill in the Priſon, they ſend to him a Surgeon and Phyſician, who adminiſter all proper Remedies to him to recover him to Health. If there be any Danger of his dying, they ſend him a Confeſſor, if he deſires it. According to the Proviſion of the *Madrid* Inſtruction, *An.* 1561. cap. 71. *If any Criminal falls ill in Priſon, the Inquiſitors muſt take diligent Care that he may have Medicines, and all Things neceſſary for his Safety, and the Advice of one Phyſician or more, to recover him. And if he deſires a Confeſſor, let them aſſign him one of known Probity, and who may be confided in, and let him be ſworn to Secrecy. If the Penitent ſays any thing to him in Confeſſion, which he would have told out of the Jayl, let him not obey him in this by any Means, nor diſcover any ſuch Commands. But if he enjoins him any thing out of Confeſſion, let him reveal that to the Inquiſitors. Farther, let the Inquiſitors admoniſh and inſtruct the Confeſſor how he ſhall behave towards the Penitent, particularly that he tell him, that ſince he* Direct. p. 2. com. 25.

*was impriſoned for Hereſy, and accuſed as guilty of it, he cannot be abſolved, unleſs he judicially declares his Hereſy. Let other Things be left to the Judgment and Conſcience of the Confeſſor, who ought to be inſtructed that he may underſtand what is fit to be done in ſuch a Cauſe.*

If the Criminal doth not ask for a Confeſſor, and the Phyſician believes the Diſtemper to be dangerous, he muſt be perſuaded by all Means to confeſs; and if he judicially ſatisfies the Inquiſitors, he is to be reconciled to the Church before he dies, and being abſolved in Judgment, the Confeſſor muſt abſolve him Sacramentally. This is ordered by the ſame Inſtruction.

If he is well, and deſires a Confeſſor, ſome are of Opinion he may not have one granted him, unleſs he hath confeſſed judicially. Others think he may; and in this Caſe the Confeſſor's Buſineſs is to exhort him to confeſs his Errors, and to declare the whole Truth, as well of himſelf as of others, as he is bound *de jure*, to do. However, he muſt add, that he muſt not accuſe himſelf or others falſely, through Wearineſs of his Impriſonment, the Hope of a more ſpeedy Deliverance, or Fear of Torments. Such a Criminal the Confeſſor cannot abſolve, before his Excommunication is firſt taken off, and he is reconciled to the Church. But in *Italy* the Priſoners are more eaſily allowed a Confeſſor than in *Spain*.

They are particularly careful not to put two or more in the ſame Cell, unleſs the Inquiſitor for any ſpecial Reaſon ſhall ſo order, that they may not concert with one another to conceal the Truth, to make their Eſcape, or to evade their Interrogatories. The principal Reaſon indeed ſeems to be, that through the Irkſomeneſs of their Impriſonment, they may confeſs whatſoever the Inquiſitors would have them. But if an Husband and his Wife are both impriſoned for the ſame Offence, and there be no Fear that one ſhould prevent the other from making a free Confeſſion of the Crime, they may be put in the ſame Cell.

Gonſalv. *p.* 125. The Inquiſitors are obliged to viſit the Priſoners twice every Month, and to enquire whether they have Neceſſaries allowed them, and whether they are well or not. In this Viſit they uſually ask him in theſe very Words, How he is? How he hath his Health? Whether he wants any Thing? Whether his Warder is civil to him? *i. e.* Whether he ſpeaks to him in a reproachful and ſevere Manner? Whether he gives him his appointed Proviſion, and clean Linen? and the like. Theſe are exactly the Sentences and Words they uſe in theſe Viſits, to which they neither add any Thing, nor act agreeable; for they uſe them only for Forms ſake, and when the Inquiſitor hath ſpoken them, he immediately goes away, ſcarce ſtaying for an Anſwer. And although any one of the Priſoners complains that he is not well uſed, 'tis of no Advantage to him, nor is he better treated for the future. If there be Occaſion or Neceſſity, it will be convenient for them to viſit the Priſoners three or four times every Month, yea, as often as they think proper, *viz.* when the Criminal bears with Impatience the Misfortune and Infamy of his Impriſonment, in ſuch Caſe the Inquiſitor muſt endeavour to comfort him very often, not only by himſelf, but by others, and to tell him, that if he makes a free Confeſſion, his whole Affair ſhall be quickly and kindly ended.

*Inquiſ. Goan. c.* 12.

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The Inquiſitors muſt take Care not to talk with the Criminals, when they are examined or viſited, upon any other Affairs but ſuch as relate to their Buſineſs. Nor muſt the Inquiſitor be alone when he viſits, or otherwiſe gives them Audience; but muſt have with him his Collegue, or at leaſt a Notary, or ſome other faithful Servant of the Holy Office. According to the *Madrid* Inſtruction, *An.* 1561. *cap.* 17.

This alſo they are particularly careful of, that the Criminals may not be removed from one Cell to another, nor aſſociate with any other. If any Priſoners have been ſhut up together at once in the ſame Cell, when they are removed, they muſt be removed together, that hereby they may be prevented from communicating any Thing that hath been tranſacted in the Priſon. This is more eſpecially to be obſerved, in caſe any of them recall their Confeſſion, after they have been removed from one Cell and Company to another. But if a Criminal confeſſes, and is truly converted, he may more eaſily be removed from one Cell to another, becauſe the Inquiſitor is in no Pain for fear of his retracting, but may oftentimes make uſe of him to draw out the Truth from other Priſoners, according to the Advice of *Eymerick*, in his Directory of the Inquiſition, *p.* 3. *n.* 107. and *Pegna*'s Commentary 23. *Things of this Nature*, ſays he, *are to be learned rather from Experience than Art, or Precept, eſpecially as there are ſome Things which muſt neither be revealed or taught, and are well known in themſelves to the Inquiſitors.*

If Women are impriſoned, they muſt each of them have, according to their Quality, one honeſt Woman at leaſt for a Companion, who muſt never be abſent from her, to prevent all Suſpicion of Evil. This Companion muſt be antient, of a good Life, pious and faithful. Sometimes when Women are to be impriſoned, they do not carry them to the Jayl of the Inquiſitors, eſpecially if they are Regulars, if the Jayls be within the Walls of the Monaſteries, but to the Convents of the Nuns. When this happens, they command the Abbeſs or Prioreſs to admit no Body to diſcourſe with the Priſoner without expreſs Leave of the Inquiſitor, but diligently to obſerve the Order given her. But when the Cauſe is of Importance, and full of Danger, and ſuch they eſteem all that relate to the Faith, they think it ſafer that Women ſhould be impriſoned in the Jayls of the Inquiſitors. But the Cardinals Inquiſitors General are to be conſulted in this Affair, who, after mature Conſideration, are to determine whether it be moſt expedient that ſuch Criminals ſhould be kept in the Jayls of the Biſhops, or Inquiſitors Regulars, eſpecially if they are young and handſome, as is often the Caſe of thoſe who are taken up for telling Peoples Fortunes about their Sweethearts.

Pegna, *Prax. Inq. l.* 2. *c.* 13. *n.* 6.

'Tis farther the Cuſtom and received Uſe of this holy Tribunal, that ſuch who are impriſoned for Hereſy, are not admitted to hear Maſs, and other Prayers which are ſaid within the Jayl, till their Cauſe is determined. Their principal Pretence for this Cuſtom is, that it may poſſibly happen, when there is a great Number of Criminals, that the ſeveral Accomplices, Companions and Partakers of the Crime, may at leaſt by Nods and Signs diſcover to one another, how they may eſcape Judgment, or conceal the Truth.

But

But the true and genuine Reaſon is, that the Priſoner may have nothing to contemplate beſides his preſent Misfortune, that ſo being broken with the Miſeries of his Confinement, he may confeſs whatſoever the Inquiſitors would have him. For this Reaſon they deny them Books, and all other Things that would be any Relief to them in their tedious Impriſonment. If any one of the Priſoners whatſoever prays the Inquiſitor when he viſits him, that he may have ſome good Book, or the Holy Bible, he is anſwered, that the true Book is to diſcover the Truth, and to exonerate his Conſcience before that holy Tribunal; and that this is the Book which he muſt diligently ſtudy, *viz.* to recover the Remembrance of every Thing faithfully, and declare it to their Lordſhips, who will immediately preſcribe a Remedy to his languiſhing Soul. If the Priſoner in the ſame or next Viſit is importunate about it, he will be commanded Silence, becauſe if he asks to pleaſe himſelf, they may grant or deny him according to their Pleaſure.

Simanc. *tit.* 41. §. 5. The keeping the Jayl antiently belonged to the Executors Office, and as often as he was abſent, he was obliged to provide another Keeper at his own Charge. But now the Jayl-Keeper is created by the Inquiſitor General, and is different from the Executor.

Thoſe who keep the Jayls for the Crime of Hereſy, muſt ſwear before the Biſhop and Inquiſitor, that they will faithfully keep their Priſoners, and obſerve all other Things preſcribed them by *Clement.* I. de hæret. §. *Porro.*

Simanc. *de Cathol. Inſtit. tit.* 16. §. 7, 8, 9. There muſt be two Keepers to every Jayl, induſtrious and faithful Men, one appointed by the Biſhop, the other by the Inquiſitor. Each of them may have their proper Servant. Beſides this, to every Cell there muſt be two different Keys, each Keeper to have one, which they may give to their Servants, to ſupply the Priſoners with Neceſſaries. The Biſhop and Inquiſitor have no Power to agree that there ſhall be but one Keeper, becauſe it doth not ſeem ſafe enough, neither is it allowed them by Law, nor appointed in their Cauſe or Favour. *Clem.* 1. §. *Sane.* de hæret.

But now there is only one Jayl-Keeper appointed in every Province, choſen by the Inquiſitor General, who is not allowed to give the Priſoners their Food. But the Inquiſitors chuſe ſome proper Perſon to this Office, who is commonly called the Diſpenſer. The Proviſions they give the Criminals are generally prepared and dreſſed in the Houſe of the Inquiſition; becauſe if they were to be prepared in the Houſes of the Criminals themſelves, or any where elſe, ſomething might eaſily be hid under them, that might furniſh them with the Means to conceal the Truth, or to elude or eſcape Judgment. This however is to be left to the Prudence and Pleaſure of the Inquiſitors, whether and when the Criminals may without Danger prepare their Proviſion in their own Houſes. But upon account of the Hazard attending it, the Inquiſitors but ſeldom, and not without exquiſite Care, gratify them in this Particular. If any Things are ſent them by their Friends or Relations, or Domeſticks, the Jayl-Keeper and Diſpenſer never ſuffer them to have it, without firſt conſulting the Inquiſitors. *Inſtruct. Tolet. c.* 26.

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As theſe Keepers have it in their Power greatly to injure or ſerve their Priſoners, they muſt promiſe by an Oath, before the Biſhop and Inquiſitors, that they will exerciſe a faithful Care and Concern in keeping them, and that neither of them will ſpeak to any of them but in Preſence of the other, and that they will not defraud them of their Proviſion, nor of thoſe Things which are brought to them. Their Servants alſo are obliged to take this Oath.

But notwithſtanding this Law, a great Part of the Proviſion appointed for the Priſoners is with-held from them by their covetous Keepers; and if they are accuſed for this to the Inquiſitors, they are much more gently puniſhed, than if they had uſed any Mercy towards them. *Reginald Gonſalve* relates, that in his Time, *Gaſpar Bennavidius* was Keeper of a Jayl. " He was a Man of monſtrous Covetouſneſs and Cruelty, who defrauded his miſerable Priſoners of a great Part of their Proviſion, which were ill dreſſed, and ſcarce the tenth Part of what was allowed them, and ſold it ſecretly, for no great Price, at the *Triana*. Beſides, he wholly kept from them the little Money allowed them to pay for the waſhing of their Linen, thus ſuffering them to abide many Days together in a naſty Condition, deceiving the Inquiſitor and Treaſurer, who put that Money to the Keepers Account, as though it had been expended every Week for the Uſe of the Priſoners, for whom it is appointed. Neither was it very difficult to deceive them, becauſe they took but little Pains to enquire out the Truth. If any one of the Priſoners complained, muttered, or opened his Mouth upon account of this intolerable Uſage, the cruel Wretch, who had diveſted himſelf of all Humanity, had a Remedy at hand. He brought the Priſoner immediately out of his Apartment, and put him down into a Place they call *Mazmorra*, a deep Ciſtern that had no Water in it. There he left him for ſeveral Days together, without any Thing to lie on, not ſo much as Straw. His Proviſion there was ſo very rotten, that it was more proper to deſtroy his Health by Sickneſs, than to preſerve it, or ſupport him in Life. All this he did without ever conſulting the Inquiſitors, and yet fraudulently and villanouſly pretended their Command to his Priſoner. If any one beſought him to complain to the Inquiſitors for ſo injurious a Treatment, for they could not do it by any other Perſon, and to deſire an Audience, the cunning Wretch knowing that the whole Blame muſt lie upon himſelf, pretended that he had aſked, but could not obtain it. By ſuch forged Anſwers, he kept the miſerable Priſoner in that deep Pit twelve or fifteen Days, more or leſs, till he had fully gratified his Anger and Cruelty. After this he brought him out, and threw him into his former Jayl, perſuading him that this Favour was owing to his Humanity and Care, having made Interceſſion for him with their Lordſhips. In ſhort, his Thefts and Injuries with which he plagued his Priſoners, who were otherwiſe miſerable enough, were ſo numerous, that ſome Perſons of Intereſt with the Inquiſitors at length accuſed him before them. Upon this he was impriſoned himſelf; and being found guilty of many falſe Accuſations, he received this Sen-

p. 111, &c.

" tence:

" tence: That he ſhould come out at a publick Act of the Faith, carrying " a wax Candle in his Hand, be baniſh'd five Years from the City, and for- " feit the whole Sum of Money, which by Virtue of his Office he was to " have received from the holy Tribunal.

p. 114. " This very Man, whilſt he was Keeper, had in his Family, an ancient " Servant Maid, who obſerving the Diſtreſs of the Priſoners, labouring un- " der intollerable Hunger and Naſtineſs, through the Wickedneſs and Bar- " barity of her Maſter, was ſo moved with pity towards them, being her ſelf " well inclined to the Evangelical Piety, that ſhe often ſpoke to them through " the Doors of their Cells, comforted them, and as well as ſhe could ex- " horted them to Patience, many Times putting them in Meat under their " Doors, in Proportion to the mean and low Abilities of her Condition. " And when ſhe had nothing of her own, by which to ſhew her Liberality " to the Priſoners of Chriſt, ſhe ſtole good Part of that Proviſion from " the wicked Thief her Maſter, which he had ſtolen from the Priſoners, and " reſtored it to them. And that we may the more wonder at the Providence " of God, who ſo orders it that the worſt of Parents ſhall not have al- " ways the worſt of Children, but ſometimes even the beſt; a little Daugh- " ter of the Keeper himſelf was greatly aſſiſting to the Maid in theſe pious " Thefts. By Means of this Servant the Priſoners had Information of the " State of the Affairs of their Brethren and fellow Priſoners, which much " comforted them, and was oftentimes of great Service to their Cauſe. But " at length the Matter was diſcover'd by the Lords Inquiſitors, by whom " ſhe was thrown into Priſon for a Year, and underwent the ſame Fate " with the other Priſoners, and condemned to walk in the publick Proceſſion, " with a yellow Garment, and to receive two hundred Stripes, which was " executed upon her the following Day through the Streets of the City, with " the uſual Pomp and Cruelty. To all this was added Baniſhment from " the City and its Territories for ten Years. Her Title was, *The Favoureſs* " *and Aidreſs of Hereticks*. What excited the implacable Indignation of the " Lords, the Fathers of the Faith, againſt her, was, That they diſcovered " in her Examination, that ſhe had revealed the Secrets of the moſt holy " Tribunal to ſome of the Inhabitants of the City, particularly relating to " the Proviſion allotted to the Priſoners. From both theſe Examples, and " from their different and unequal Puniſhment, any one may ſee, how much " ſafer it is to add to the Affliction of the Priſoners in their Jayl, than to " comfort them by any Act of Humanity and Mercy whatſoever.

§. 11. And in order that the Jayl of Hereticks may be kept ſecret, no one of the Officials, no not the Judge himſelf, as we ſhall afterwards ſee, can enter it alone, or ſpeak with the Priſoners but before another of the Officials, nor without the previous Order of the Inquiſitors. All are obliged to ſwear that they will obſerve this, that no one may ſee or ſpeak to the Priſoners beſides the Perſon who gives them their Neceſſaries, who muſt be a faithful honeſt Perſon, and is obliged to ſware that he will not diſcover the Secrets, and muſt be ſearched to prevent his carrying any Orders or Letters to the Priſoners.

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This Command they will have obſerved as moſt ſacred, becauſe, as they ſay, Secrecy is the Strength of the Inquiſition, which might eaſily be violated, unleſs this Order be punctually kept, and therefore they always moſt ſeverely puniſh thoſe who tranſgreſs it. *Gonſalvius Montanus* gives us a very remarkable Inſtance of this. p. 108. " A few Years ago, *viz.* before *Gonſalvius* wrote " this Account, one *Peter ab Herera*, a Man not altogether vile, but of ſome " Humanity, and not very old, was appointed Keeper of the Tower of *Triana*, " which is the Priſon of the Inquiſition. It happened, as it often doth in ſuch " numerous and promiſcuous Impriſonments, that amongſt other Priſoners " committed to his Cuſtody, there was a certain good Matron, with her two " Daughters, who were put in different Cells, and earneſtly deſired the Li- " berty of ſeeing one another, and comforting each other in ſo great a Cala- " mity. They therefore earneſtly entreated the Keeper, that he would ſuffer " them to be together for one quarter of an Hour, that they might have the " Satisfaction of embracing each other. He being moved with Humanity " and Compaſſion, allowed them to be together, and talk with one another " for half an Hour, and after they had indulged their mutual Affections, he " put them, as they were before, in their ſeparate Priſons. A few Days af- " ter this they were put with great Cruelty to the Torture; and the Keeper " being afraid, that through the Severity of their Torments, they ſhould " diſcover to the Lords the Fathers Inquiſitors, his ſmall Humanity in ſuffer- " ing them to converſe together for half an Hour without the Inquiſitors " Leave, thro' Terror, went himſelf to the holy Tribunal, of his own Ac- " cord confeſſed his Sin, and prayed for Pardon, fooliſhly believing, that " by ſuch his Confeſſion, he ſhould prevent the Puniſhment that threatned " him for this Action. But the Lords Inquiſitors judged this to be ſo heinous " a Crime, that they ordered him immediately to be thrown into Jayl, and " ſuch was the Cruelty of his Treatment, and the Diſorder of Mind that fol- " lowed on it, that he ſoon grew diſtracted. However, his Diſorder and " Madneſs did not ſave him from a more grievous Puniſhment. For after he " had lain a full Year in that curſed Priſon, they brought him out in the pub- " lick Proceſſion, cloathed with the yellow Garment, and an Halter round " his Neck, as though he had been a common Thief, and condemned him " firſt to receive two hundred Laſhes through the Streets of the City, and " then to the Gallies for ſix Years. The Day after the Proceſſion, as he " was carried from the *Triana* to be whipt with the uſual Solemnity, his Mad- " neſs, which uſually ſeized him every other Hour, came on him, and throw- " ing himſelf from the Aſs on which, for the greater Shame, he was carried, " he flew upon the Inquiſitory * *Alguazile*, and ſnatching from him a Sword, " had certainly killed him, had he not been prevented by the Mob who at- " tended him, and ſet him again upon the Aſs, and guarded him till he had " received the two hundred Laſhes according to his Sentence. After this " the Lords Inquiſitors ordered, that as he had behaved himſelf indecently

* An Officer that executes the Orders of the Inquiſition.

" towards the *Alguazile*, four Years more ſhould be added to the ſix for " which he was at firſt condemned to the Gallies."

Theſe Keepers are anſwerable for the ſmalleſt Fault, for they are to uſe the ſame Care in the Cuſtody of their Priſoners, as Fathers ought to do in governing their Families; ſo that if they ſuffer ony one to eſcape from Jayl, they are to be puniſhed according to the Nature of their Offence. 'Tis therefore their Buſineſs frequently to viſit and ſearch the Cells of their Priſoners, to prevent any Thing from being clandeſtinely carried in, by which they may deſtroy themſelves, dig through the Walls, and ſo eſcape. Their Care of the Women is to be peculiarly ſtrict, ſince the Sex is naturally frail, and more ſubject than Men to yield to Paſſion and Deſpair, and ſo are more likely to ſeek an Occaſion of deſtroying themſelves. They muſt, above all other Things, take Care that they do not behave themſelves indecently towards their Women Priſoners. Thus the Congregation of Cardinals Inquiſitors General, condemned a Jayl Keeper to the Gallies for ſeven Years, and to perpetual Baniſhment from the Place where he committed his Offence, for having carnal Knowledge of a Woman that was Priſoner in the Holy Office; as appears from the Letters of Cardinal *Arigonius*, *Jan.* 13, 1610. directed to the Inquiſitor of *Cremona*.

Carena, *p.* 1. *t.* 15. *n.* 114

If the Inquiſitor thinks it neceſſary to prevent the Eſcape of any Priſoners, he may lay them in Irons. If the Poverty of the Inquiſitors is ſo great, or their Jayls ſo defective, as that they are not fit to hold in ſafe Cuſtody, either for the Thinneſs of the Walls, or for want of Iron Bars to the Windows, or ſufficient Bolts for the Doors, if the Magiſtrate be required by the Inquiſitor, he muſt take Care of the ſafe Cuſtody of the Priſoners, according to the Conſtitution of *Alexander* IV. beginning, *Ad exſtirpanda.*

Simanc. *tit.* 41. §. 10.

What the ſeveral Duties of the Meſſenger, Door-Keeper, and Phyſician are, is plain enough from their very Names. They muſt be honeſt Men, and not ſuſpected, and born of old Chriſtians.

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## CHAP. XIX.

### *Of the Expences requiſite in the Adminiſtration of the* INQUISITION *and Confiſcation of Effects applied to this Uſe.*

THESE Jayls cannot be built, nor Criminals be apprehended, nor maintained in Priſon, without Expence. It was therefore neceſſary that ſome Law ſhould determine how theſe Expences ſhould be provided for. Beſides the Inquiſitors, and all other Servants of the Inquiſition, muſt have their Salaries paid them. Originally this Burthen was laid on the Cities themſelves, as may be collected from the Conſtitution of *Innocent* IV. *Ad exſtirpanda. Let the chief Magiſtrate or Governor be obliged, at the Expence of the Place where he preſides,*

An. 1252. §. 3. Bzovius.

*preſides, to cauſe ſuch Hereticks, when apprehended, to be carried whereſoever the Dioceſan, or his Vicars, or the Inquiſitors, or Inquiſitor, ſhall order them to be carried, within the Juriſdiction or Diſtrict of ſuch Dioceſan Biſhop, or of ſuch City or Place. The Officials ſhall be allowed out of the Chamber of ſuch City or Place, when they go without the ſaid City or Place, in Execution of their Office, every one of them eighteen Imperials in ready Money* per diem, *which the Magiſtrate or Governor ſhall give, or cauſe to be given them, within three Days after their Return to ſuch City or Place. They ſhall alſo have the third Part of the Effects of Hereticks they ſeize on, and of the Fines to which they ſhall be condemned, according as it is contained below, and with this Salary ſhall be content. Neither ſhall they be compelled by any Means to any other Office and Service, that may hinder them in the Exerciſe of this.*

But as the Cities thought themſelves aggrieved by this Charge, and openly refuſed to bear it, the confiſcated Effects of Hereticks have been applied to theſe Uſes, and the Croſs-bearers have bound themſelves by Vow, that they will expend their own Eſtates for the Defence of the Faith. But that it may be more diſtinctly underſtood how theſe Effects are applied to the Uſes of the Inquiſition, I ſhall endeavour to trace this whole Affair from the Beginning.

When the delegated Inquiſition was firſt conſtituted, the Sentence concerning the Confiſcation of Effects in the Dominions of the Church, was pronounced by the Eccleſiaſtical Judge; but in other Countries by ſecular Princes, as appears plain from the Text in cap. *Vergentis.* de hæret. *But in the Countries ſubject to our temporal Juriſdiction, we ordain that the Goods of Hereticks ſhall be expoſed to Sale; and in other Countries we command that it ſhall be done by the ſecular Powers and Princes, and if they appear negligent, we will and command that they ſhall be compelled to do it by Eccleſiaſtical Cenſure, without Benefit of Appeal.* But in a Courſe of Years it was, without any Difference, provided that the Declaratory Sentence concerning ſuch Confiſcation, ſhould every where be paſſed by the Eccleſiaſtical Judge, who judges of the Crime; and farther, that the Execution of ſuch Confiſcation, *viz.* the Seizure of the Goods, ſhould be made by the Eccleſiaſtical Judge, *viz.* by the Biſhop or Inquiſitor: *The Execution of ſuch Confiſcation, or the Seizure of the Effects themſelves ſhall not be made by Princes, or other temporal Lords, before the Sentence for ſuch Crime ſhall have been publiſhed by the Biſhop of the Place, or ſome other Eccleſiaſtical Perſon, who hath Power in this Affair.* C. *Cum ſecundum leges.* §. *fin.* de hæret. lib. 6. ibid.

*Direct. p. 3. com. 148.*

Cap. *Ut Inquiſitionis.* §. *Prohibemus.*

Whether Hereticks repent or not, whether they are converted before they are delivered to the ſecular Court, or afterwards, their Effects are *ipſo facto*, confiſcated. *The Goods of Hereticks, who offend more grievouſly, horribly, and deteſtably than others, we, with the Advice of our Brethren, decree to be,* ipſo jure, *confiſcated.* Neither doth it ſignify whether the Heretick hath perſiſted in his Hereſy for a longer or ſhorter Time; becauſe Hereſy is not judged of by the Length of Time.

C. *Cum ſecundum leges.* de hæret. l. 6.

But if any voluntarily return to the Church, before they are accuſed or denounced, or if immediately after they are apprehended, they make a full and entire Confeſſion of themſelves and others, whom they know to be He-

reticks: Such who thus return with a pure Heart, before the Depoſitions of the Witneſſes are publiſhed, are, as ſeems equitable, kindly excuſed from Impriſonment, and have alſo for the ſame Reaſon the Confiſcation of their Effects remitted them. In *Italy* 'tis owing rather to Cuſtom than to any Papal Conſtitution, that the Effects of penitent Hereticks are not ſold. But in *Spain*, the Effects of Hereticks, though penitent, are confiſcated, not only by the Papal, but Royal Laws.

Simanc. t. 42. §. 17.

But as to the Seizure and Application of ſuch confiſcated Effects, the Civil Law thus determines. *Whom alſo we perſue with the Publication of all their Effects.* However ſuch Effects, publiſhed becauſe of Hereſy, were not condemned to the Treaſury, if the Children of ſuch Hereticks were Catholicks; as is plain from the before-mentioned Law. *Neither do we permit their Children to become their Heirs, unleſs they forſake their Parents Wickedneſs.* It is alſo farther explained, *L. Cognovimus*, C. de hæret. to whom the confiſcated Effects of Hereticks ſhall be applied, if their Children are not Catholicks, *viz.* to their next Relations and Kindred, if Orthodox and Catholick. But if none ſuch are to be found, the Effects are all to be converted to the Treaſury of the ſecular Prince. And a little after, in Authent. §. *ſi quis de prediſtis.* this Method of Succeſſion is preſcribed, if the Fathers ſhould be Catholicks, and their Children Hereticks. Becauſe heretical Children and Relations cannot ſucceed Catholick Parents, if the Father be a Clergyman, the Church ſhall inherit; if a Layman, his Eſtate ſhall go to the Treaſury. Many Ages after this, *Frederick* the Emperor, by a Law beginning, *Catharos.* thus ordained, about the Year 1220. *We condemn all Hereticks of both Sexes, and every Name, to perpetual Infamy, we deprive them of our Protection, and put them under the Bann, ordering their Effects to be confiſcated, and never more to return to them, ſo that their Children ſhall never come to the Poſſeſſion of them, ſince 'tis much more heinous to offend the eternal than the temporal Majeſty.*

L. Manichæos. Cod. de hæret.

But as the Crime of Hereſy is merely Eccleſiaſtical, they contend that the Eccleſiaſtical Laws, which order all Things relating to the Puniſhment of it, ought to prevail, and be every where obſerved. And therefore ſince the Confiſcation of Effects is one of the Penalties ordained againſt Hereticks, they affirm, that what hath been ordained by the Eccleſiaſtical Papal Laws and Conſtitutions, ought to be obſerved by all that would approve their Obedience to the Church of *Rome*.

Pope *Innocent* III. in the Year of our Lord 1199 or 1200. and ſecond Year of his Papacy, firſt ordained at the *Lateran*, *April Cal.* 8. by a decretal Epiſtle, beginning, *Vergentis in ſenium*, directed to the Clergy, Conſuls, and People of *Viterbo*, that the Effects of Hereticks ſhould be confiſcated, as had been determined by the Civil Laws, and that they ſhould be applied to the Treaſury of the Church in the Countries ſubject to her, and in other Dominions of the Empire, to the Treaſury of the ſecular Judge. And this he commands to be obſerved, although Hereticks ſhould have Catholick Children, who by the Civil Law were allowed to ſucceed to their Parents Eſtates. The ſame Confiſcation of Effects, a few Years after, *viz.* *An.* 1215. was decreed in the

the *Lateran* Council under *Innocent* III. *cap.* 3. and is contained, C. *Excommunicamus*, 1. §. *Damnati, vero.* but with this Difference obſerved, between the Effects of heretical Laity and Clergy. *So that the Goods of ſuch condemned Perſons, if they are Laicks, ſhall be confiſcated; if of the Clergy, they ſhall be applied to the Churches, from whom they have received their Stipends.*

Hence Pope *Innocent* IV. 1252. and ninth Year of his Pontificate, by a Conſtitution made at *Perouſe*, the Ides of *May*, and beginning, *Ad exſtirpanda*; commanded the confiſcated Goods of Hereticks to be divided into three Parts, and applied in the Manner as is preſcribed in theſe Words. *Moreover, the chief Magiſtrate or Ruler ſhall be obliged ſo to divide the Effects of Hereticks, which ſhall be ſeized and found by the ſaid Officials, and the Fines which ſhall be exacted for them, as that one Part ſhall go to the common Uſe of the City or Place, the ſecond to the Officials who ſhall be engaged in the Affair, in Favour and for the Aſſiſtance of the Office; and the third ſhall be depoſited in ſome ſafe Place, to be reſerved and expended as the ſaid Dioceſan and Inquiſitors ſhall think fit, and with their Advice, in Favour of the Faith, and the Extirpation of Hereticks, notwithſtanding any Statute made, or to be made to the contrary.* This *Alexander* IV. confirmed *An.* 1259. by a Conſtitution, beginning, *Ad exſtirpanda.* But in the Year 1260. he granted by an Extravagant at *Genoa*, beginning, *Diſcretioni veſtræ*, to the Inquiſitors in the *Roman* Province, and Adminiſtration of St. *Francis*, that the Goods of Hereticks and others mentioned in it, ſhould be ſold, and the Money kept for the Uſes of the Church of *Rome*. *By Authority of theſe preſent, we grant full and free Power to your Diſcretion, of which we have full Confidence in the Lord, of ſelling and dividing freely the Goods of Hereticks, their Favourers, Believers, Receivers, and Defenders, already publiſhed, or confiſcated, or hereafter to be publiſhed and confiſcated, as you ſhall think the Affair of the Faith committed to you ſhall require; and of reſerving the Money ariſing from thence to the Uſe of the Church of* Rome; *and alſo of compelling all who ſhall oppoſe you in this Matter, by Eccleſiaſtical Cenſure, without allowing them the Benefit of Appeal.*

*Clement* IV. his Succeſſor, *An.* 1265. by a Conſtitution beginning, *Ad exſtirpanda*, ordered the ſame threefold Diviſion, but makes more particular Mention of the Effects. *Moreover, the chief Magiſtrate, Officer, Conſul, or any other Ruler, ſhall be obliged to divide in ſuch a Manner all the Effects of Hereticks, and their Receivers, which ſhall be ſeized or found by the ſaid Officials, and the Fines exacted for them; as alſo all the Timber, Stones, and Tiling of the Houſes and Caſtles that ſhall be deſtroyed on the Account of Hereſy; and alſo all the moveable and immoveable Effects that ſhall be confiſcated on the ſame Account, as that one Part*, &c.

*Boniface* VIII. *An.* 1295. by a Conſtitution of his to be found, Cap. *Cum ſecundum leges.* de hæret. lib. 6. declared likewiſe, that the Effects of Hereticks were *ipſo jure* confiſcated. But he prohibited the temporal Lords to lay hold of, or ſeize on them, before the lawful Eccleſiaſtical Judges had pronounced concerning the Crime of Hereſy. *Benedict.* XI. by an Extravagant beginning, *Ex eo. An.* 1303. orders; *The ſaid Dioceſans ſhall not demand any Account of the Profits ariſing from the Office of the Inquiſition; any Conſtitution, Cuſtom, or Com-*

*mand*

*mand to the contrary notwithſtanding. But you ſhall give it to our Chamber, or to any Perſon, whom we or the* Roman *Pontiffs our Succeſſors ſhall appoint for this Purpoſe. And this we command to be generally obſerved.*

From theſe Conſtitutions they infer, that if any temporal Lord, in Favour of the Faith, actually doth theſe Things, or other Things equivalent, or greater, or of like Nature, to what the ſaid Conſtitutions require, he ought to have a third Part of the confiſcated Effects; or more, if the Pope allows, and knowingly permits it. And therefore in *Spain* the Effects of ſuch as are condemned for Hereſy are rightly applied to the Royal Treaſury; becauſe the King hath not only the Care of conſtituting the Senate, which manages in the Royal Palace all the Cauſes of the whole Kingdom of *Spain* relating to the Puniſhment of this Crime, and of which one of the principal Prelates is Preſident; but alſo liberally ſupplies the Inquiſitors, which the ſaid Prelate appoints by the Papal Authority, and ſends throughout the whole Kingdom, to extirpate heretical Pravity, with all their Expences, and every Thing elſe neceſſary to their Office. But as in many Places the temporal Lords do not grant the Inquiſitors their Expences, nor ſubmit to thoſe Burthens and Labours, which *Innocent*, *Alexander*, and *Clement.* IV. have commanded, *Pegna* doth not underſtand by what Right they can appropriate to themſelves the third Part of ſuch confiſcated Effects; and therefore thinks that they ought all to be applied to promote and advance the Holy Office. Eſpecially as the Inquiſitors have now their proper Jayls, their neceſſary Attendance, and their own Notaries and Miniſters, to the greateſt Part of whom the temporal Lords give neither Subſiſtence or Salary; and when deſired, oftentimes refuſe to do it. Yea, if the Inquiſitor ſometimes asks the Guards, Apparitors, or Soldiers of the ſecular Lord, to execute any Affairs of the Faith, to take up Hereticks, or carry them to Jayl, he will not ſuffer them to go, without firſt receiving the Satisfaction and agreed Price from the Inquiſitors.

This *Camillus Campegius* eſpecially urges with Reference to the Inquiſitors of *Italy*, "Who, he ſays, are generally Mendicant Regulars, who ſcarce receive enough from their Monaſteries to ſupport them, or cloath themſelves decently; who in Juſtice ought to have their Proviſion and Cloathing, and other Neceſſaries, not from the Monaſteries, but from the Office it ſelf in which they ſerve. For that theſe Inquiſitors are ſo entirely devoted to the Affairs of the Office, that they cannot ſerve Religion or the Monaſtery, which is ſuch a Detriment to Religion as ought not to be ſuffered. Add to this that Religion, and the very Monaſteries are greatly damaged upon Account of the ſaid Office, becauſe theſe Religious are hated, and are for this Reaſon deprived of much Alms, and expoſed alſo to many Dangers of Life."

*In* Zanchin. *cap.* 19.

Hence he infers, that the Inquiſitors may receive not only their Expences, but alſo a Salary or Fees. And as to the Objection that the confiſcated Goods of Hereticks are appropriated to maintain the Inquiſitors, he anſwers: "That ſuch Confiſcation ſeldom happens, ſince the Effects are reſtored to ſuch as return, few being found who are obſtinate or relapſed, and theſe, gene-

"rally

" rally ſpeaking, ſo very poor, that they are not able to defray the Expen-
" ces of the Notaries, nor maintain themſelves whilſt they are kept in Jayl.
" As to the other Objection, That the Inquiſitors ought to be content with
" the Subſidy exacted from, or given them by the Croſs-bearers, he an-
" ſwers, that this is far from being ſufficient, becauſe either they cannot or
" will not give. Beſides, many of them ſubvert the very End of their Inſti-
" tution, and are rather Maſters over the Inquiſitor, than ſubject to him, and
" ſometimes do more harm than good to this Holy Office. 'Tis true, many
" of them are very jealous and zealous for the Faith, who, according to the
" Obligation of their Vow, willingly expoſe their Life and Subſtance for the
" Faith. But as they themſelves are poor, they want Aſſiſtance inſtead of
" being able to ſupport others." He goes on, " Since this is really the Caſe,
" how can the Inquiſitors ſuſtain the Burthens of their Office? How can they
" be able to repair or build Jayls? How can they ſatisfy the Keepers, and
" other Officers? How can they provide Suſtenance for the poor Priſoners,
" or Beds for them to lie on? How can the Inquiſitors themſelves viſit their
" Dioceſe or Province? Who ſhall ſupply them with Horſes and Ships?
" Who ſhall give them, their Companions, Notaries, and Servants, the Char-
" ges of their Journey? For 'tis not decent or ſafe that the Inquiſitor ſhould
" travel alone. The Duties of this Service are almoſt infinite, which neither
" the Biſhops, Cities, or Princes, will ſo much as touch with their Finger.

" Since therefore the *Italian* Inquiſitors have no Benefice, or Incomes, or if
" they have, ſuch as are not ſufficient to maintain them, they may demand
" their Expences, Salary or Fees. This however the Inquiſitors and other
" Officials who are Biſhops, as they are in *Spain*, cannot do. Nor ſuch who
" receive their Expences from the Apoſtolical Chamber, as is obſerved at
" *Rome*, or who otherwiſe receive Aſſiſtance or Support, to enable them to
" diſcharge the Duties of the ſaid Office.

" At this Time the Inquiſitors affirm, that the Church of *Rome* is the Trea- Zanchin.
" ſury as far as relates to the confiſcated Effects of Hereticks; and that ſhe c. 26.
" hath ordered that one half of the ſaid Effects ſhall be appropriated to her
" own Chamber, and that the other half ſhall remain in the Office of the
" Inquiſition for the neceſſary Uſes thereof. This Cuſtom is now obſerved."

*Campegius*, in his Additions, cites the Letters of *Innocent* IV. directed to the Archbiſhops and Biſhops, and Provincial of the Province. *We, treading in the Steps of Pope* Gregory *our Predeceſſor, of bleſſed Memory, order that the moveable Effects and Houſes of ſuch who are impriſoned for Hereſy, ſhall be ſold, if it can be done without Prejudice of their Lords, or grievous Scandal; and that the pecuniary Penalties which ſhall be laid by the ſaid Friars Inquiſitors, on any Perſons, on Account of heretical Pravity, for the Advantage of the ſaid Affair, and after having conſidered the Quality of the Perſons, and Nature of their Offences, ſhall be entirely reſerved for building ſeparate and ſufficient Priſons, and for ſupplying the neceſſary Expences of the Priſoners, and of the ſaid Friars, and other Perſons, whom they ſhall think proper to make uſe of to carry on the ſaid Affair.* And in the Extravagant *Ex eo.* de hæret. §. *fin. The ſaid Dioceſans ſhall not demand any Account from*

*you*

*you of the Profits arising from the Office of the Inquisition, any Constitution, Custom, or Command to the contrary notwithstanding. But you shall send the Account to our Chamber, or to such other Person as we or our Successors the Popes of* Rome *shall appoint for this Purpose.* This we command shall be generally observed.

In voce. *Bona haeret.* 4. And lastly, Friar *Bernard Comensis*, in his Light of the Inquisitors, hath given us this short Account of the whole Affair. "The Effects of Hereticks, "since they are *ipso jure* confiscated from the Day of the Crime committed, "shall not be sold or alienated by the said Hereticks. Yea, the Treasury or "Inquisitors shall reclaim the said Effects, if sold or alienated, out of the "Hands of the Possessors, without any Charge, through what Hands soever "they may have passed; unless the Price, or something equivalent to it, was "amongst the Effects of the said Heretick thus alienating them.

5. "The Ordinary or Diocesan shall have no Part of the Profits of the Goods "of Hereticks, appropriated to the Office of the Inquisition, although he "himself proceeds in the said Office; but must discharge his Duty at his own "proper Expences, and out of his own Returns, because he is the Ordinary, "according to the Extravagant of *Benedict* XI. beginning, *Ex eo quod.* Nor "are the Inquisitors obliged to give an Account to the said Diocesans of the "Effects accrewing to the Office of the Inquisition. *Ibid.*

6. "Whereas the Cross-bearers now generally provide, in Aid of the Office "of the Inquisition, all the necessary Expences of the said Office, at the "Pleasure of the Inquisitors, and appoint such Officials as are necessary to "the said Office, and pay them, as the Inquisitors order them; they have "therefore now introduced a Custom, that the Confiscations made of the "Effects of Hereticks by the Inquisitors, shall be applied to the Office of "the Inquisition, and administred by the Inquisitors, or the said Cross-bearers, "at the Pleasure of the Inquisitors, to expedite the Affairs of the said Of-"fice, and in all Causes appertaining to it.

7. "When the Effects of Hereticks are confiscated, such Confiscation reaches "not only to such Effects as are found in the Territory where the Condem-"nation is made, but to such as are found in any other Territory; and the "Execution shall be made by the Officials of that Place where the Goods "are. For Instance, if a Man is born at *Bologne*, and hath a good Estate "there, and yet builds himself an House at *Florence*, and is by the Inquisi-"tor of *Florence* condemned there for Heresy; in such Case the Inquisitor of "*Bologne* shall seize upon all his Effects which he finds there, because the "Purse of the Church of *Rome* equally extends to *Bologne* as to *Florence*. But "'tis not thus with the Part that comes to the Officials. See the Declara-"tion of *Nicholaus* IV. *An.* 1291. *Oct.* 5.

"The moveable Effects of the Criminal, which are found in any other "Territory, must go to the Treasury of such Place in which they are con-"demned.

CHAP.

## CHAP. XX.

### *Of the* SALARIES *of the* INQUISITORS, *and other* OFFICERS.

'TIS very evident from what hath been already ſaid, that the Method of paying the Inquiſitors their Salaries, is not every where the ſame, but very different, according as the confiſcated Effects are ſeized, either by the ſecular Lords or the Inquiſitors.

Formerly, in *France*, the Expences and neceſſary Supports were given them out of the royal Treaſury, by the *Ballives* *; who, in that Age, received the Returns of their ſeveral Diſtricts, and had their Accounts audited in the Chamber of Accounts, as appears from thoſe Accounts themſelves. For ſome of them gave in an Account of the Expences of the Friars Inquiſitors at Aſcenſion Term, *Ann.* 1248. There is alſo extant in the Royal Chamber of Records, Regiſter Book 36. Cap. 16. an Edict of *Philip* the Fair, by which they are commanded, not only to furniſh the Inquiſitors with neceſſary Proviſions, but alſo to give them Aſſiſtance and Counſel in the Execution of the Office committed to them. *To the* Seneſchall *of* Tholouſe, *and* Carcaſſone, *greeting: Whereas Friar* William de Morreriis, *a Predicant, of whom we have received a favourable Account, is, as is reported, newly deputed by the Apoſtolick Authority, Inquiſitor at* Tholouſe, *we command you, that ye cauſe to be given and miniſtred to him our Jayls, ſituate in our Lands, for the Cuſtody of Perſons taken up for the Crime of Hereſy; as alſo Money for his Proviſion, and for executing his Office; and that you grant him all Help, Favour and Counſel therein, as hath been hitherto granted to other Inquiſitors, and as long as it ſhall be our Pleaſure. Dated at* Vicenn. 1302. Du Cauge *in voce* Inquiſitio.

*James*, King of *Aragon*, by a Law, beginning, *Quoniam fidei Catholicæ*, made *May* 23, 1292. thus commands: *Likewiſe alſo we Will and Command, that ye provide for the ſaid Inquiſitors, their Expences, and pay all their Charges they ſhall be at upon Account of the ſaid Inquiſition, as well for Horſes as for other Matters, as they ſhall give in their Accounts of them, as often as you ſhall be required by them, or any one of them.* Bzovius, *a.* 1292. §. 5.

In *Italy* and other Places, where the Inquiſitors are poor, the Commonwealth muſt maintain them in the Places where they live, as is provided by many Reſcripts of former Popes; and particularly by a Reſcript of *Innocent* IV. beginning, *Ad exſtirpanda.* 'Tis alſo the Duty of the Croſs-bearers to ſupport the Inquiſitors with their Eſtates, to which they have oblig'd themſelves by Vow. Eymer. *p.* 3. *q.* 104. *Com.* 153.

In *Spain* all theſe Things are determined by certain Laws. As to the Expences relating to the Criminal under Inquiſition, the *Madrid* Inſtruction, Qu. 104. *Com.* 153.

* *Ballives*, are Judges to adminiſter Juſtice in Provinces and greater Cities, and who alſo took Care of the Fines, Confiſcations, Mortmains, and other Effects belonging to the King, in their reſpective Diſtricts. *Du Freſne.*

*An.* 1561. *Cap.* 9. hath thus determined: *Let so much Money be taken out of the sequestred Effects of the Delinquent, as is necessary to carry him to Jayl, and six or eight Pieces of Gold more for his own Support; nor shall any more Expences be allow'd him than are necessary for him, and the Cattle that are to carry him, and the Bed on which he is to sleep. If there be no ready Money in the sequestred Effects, such of them however as are less necessary shall be sold to bring in the said Quantity. The Executor of this Affair shall take Care to write down what he orders at the Bottom of the register'd Effects, and what remains shall be assigned over to the Dispensator of the Prisoners, in the Presence of the Attorney of the Sequestration. And the Inquisitors shall be certified as to the whole Affair.*

In many Inquisitions this exact Order is not observ'd, either through Poverty, or for other Reasons; in which Case every one abides by the received Custom of his Inquisition.

In *Spain* there are fixed Salaries for the Inquisitors, and other Ministers of the holy Office, which are paid them at stated Times out of the forfeited Effects, according to the Quantity and Order describ'd by *Simancas. Cathol. Inst. tit.* 41. *n.* 33, 34.

§. 33. " The Salaries must be paid to the Inquisitors and Officers by the Commonwealth, which they serve with great Labour, but greater Profit. " Every Inquisitor hath annually allow'd him 60000, which now is increas'd " to an hundred thousand Pieces, every one of which is worth two of those " Brass Pieces of Money, which they commonly call *Albi.* The Judges " of the forfeited Effects have each of them 30000. The Promotor Fiscal " as many. The Scribe or Notary the same. The Executor 60000. The " Receiver as many. The Messenger 20000. The Door-keeper 10000. " The Physician 5000. These Salaries may be increas'd at the Pleasure " of the Inquisitor General, and are to be paid by the Receiver at the " fixed Times, which if he neglects to do, he may be deprived of his Office by the Inquisitors. 4 *Inst. Tolet.* c. 2. *Inst.* 3. *Valdolit.* c. 13.

§. 34. " All these Salaries are paid out of the forfeited Effects. A third Part " is to be paid in the Beginning of every fourth Month, and they then begin to be due, when the Judges and Ministers go from their Houses to " manage the Affairs of this holy Inquisition. But if they die before the " four Months compleat, their Salaries shall be paid and go to their Heirs.

§. 13. " The Assessors and Counsellors have no Stipend, but must give their " Advice *Gratis*, when the Inquisitors desire it, as some Lawyers affirm; " and though they may receive a Salary freely offer'd them, yet they cannot demand it, because all Christians are bound to support and defend " the Affair of the Catholick Faith. However, these Assessors, who are " the Eyes of the Judges in every Cause, even though it be spiritual, justly receive a Salary for their Service and Labour. For many Things are " justly received, which it would be Injustice to demand.

*Tit.* 5. " Those Advocates who defend the Causes of the Poor have a Stipend
§. 6, 7. " out of the Treasury, which is usually very small, tho' honourable. But " if the Criminals are not poor, the Advocates are paid out of their Effects.

'Tis

'Tis alſo provided in *Spain*, by many Conſtitutions, that Inquiſitors, who receive Gifts incur the Sentence of Excommunication, and are deprived of their Office, and fined double the Value of what they take. This holds if they take Gifts from their Officials. 'Tis ordain'd alſo, by the ſame Inſtructions, That all the Officers ſhall be content with their Stipends, and receive no Gifts; not ſo much as any Thing to drink or eat. And if any one is convicted of doing it, he is deprived of his Office, muſt pay double the Sum, incurs the Sentence of Excommunication, and is fined in 10000 Pieces. If any one of the Officers knows of any ſuch Thing, and doth not diſcover it to the Inquiſitors, he muſt ſuffer the ſame Puniſhment. The Words of the Inſtruction, *An.* 1484. Cap. 1. are theſe: *They have likewiſe decreed, that the Inquiſitors and Aſſeſſors of the Inquiſition, and other their Officials, ſuch as Advocates, Fiſcals, Executors, Notaries, and Door-keepers, ſhall receive no Gifts or Money from any Perſons whatſoever, which the ſaid Inquiſition doth or may lay hold of, nor from any other Perſons appointed by them. And the Inquiſitor General ſhall command them not to receive any Thing under Pain of Excommunication, Deprivation of Offices, which they hold from the holy Inquiſition, and returning double of what they take.* Simanc. *de Cathol. Inſt. t.* 34. *n.* 45.

But *Paramus* doth not interpret this Conſtitution, ſo as to make the Inquiſitors, who are criminal in this Reſpect, actually incur Excommunication, and Deprivation of Office, but only ſo as to make them liable to this Puniſhment from the Inquiſitor General. He alſo believes, if it be a ſmall Matter, the Inquiſitors may take it when voluntarily offer'd to them. But 'tis his Judgment that they would do better to take nothing at all, neither from the Criminals, which looks very ſuſpicious, nor from their Relations or Friends, or any other Perſons whatſoever. *Lib.* 3. *q.* 2. *n.* 68.

Every Miniſter of the Inquiſition is alſo forbidden to concern himſelf in any Traffick, either by himſelf or other Perſons: If any one doth, he is deprived of his Office, and fin'd 20000 Pieces. If any one doth not diſcover this, he is excommunicated, 4 *Inſt. Tolet.* c. 12. Simanc. *de Cathol. Inſt. t.* 41. *n.* 38.

The Inquiſitors, Miniſters, and Receivers, are alſo forbidden to buy any Thing of the confiſcated Effects, although they are publickly ſold. If any one doth buy any of them, though openly and honeſtly, he nevertheleſs incurs the Sentence of Excommunication, and is fined in an 100 Pieces of Gold. *Ibid.* c. 23. §. 29.

However, as the Author of the Hiſtory of the Inquiſition at *Goa* informs us, the Inquiſitors know how to amaſs vaſt Riches, by two Methods. When the Effects of the Priſoners, after Confiſcation, are ſold by the Cryer, the Inquiſitors, notwithſtanding this Interdict, uſually ſend one of their Domeſticks, who bid a low Price for ſuch Things as their Maſters want, being pretty ſecure that no Body elſe will out-bid them; and by this Means they buy very valuable Things for half Price, or leſs. Beſides this, the Inquiſitors have a Right to demand the Payment of the Expences, and other neceſſary Charges they have been at, when, and in what Sums they pleaſe, whenever the Money ariſing from the Confiſcations is carried into the Royal Treaſ. c. 23.

ſury; without ever giving any Reaſon, or any ones daring to aſk them for what Purpoſes they employ it.

*Gonſalvius Montanus* alſo tells us, in his Arts of the *Spaniſh* Inquiſition, *Cap.* 10. That the Inquiſitors are ſometimes prevailed with to uſe their Priſoners a little more kindly, by ſome pretty Preſents made by their Friends and Relations. But this Matter muſt be dextrouſly managed, that ſo the Inquiſitor may not refuſe the Offer. The firſt Thing therefore is, to bribe one of his Servants, in which there is no Difficulty, provided it be done privately. When the Inquiſitors themſelves are tampered with, they generally anſwer, That holy Tribunal is incorrupt, and ſuffers no Manner of Gifts whatſoever to be received. But they have generally, amongſt their Attendance, ſome Child of their Brother or Siſter, or, at leaſt, a Servant that they greatly eſteem, and who is to be highly reſpected, and who only ſees the Inquiſitor refuſe the Preſents offered to him. This Servant comes to the Priſoners Friend, and privately points out to him the Relation of the Lord Inquiſitor. This is giving him to underſtand, unleſs the Perſon be a Stock, that though before he in vain attempted to corrupt the Integrity of this holy Tribunal, he may by this Conveyance prevail upon the Inquiſitor, though he would refuſe to accept the ſame Preſent when more openly offered him.

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# The End of the FIRST VOLUME.